

Paul Lackey

PARTNER

paul.lackey@stinson.com

Direct: 214.560.2206

Office: Dallas, New York



Paul has served as lead trial lawyer, outside litigation counsel and trusted advisor to large financial institutions for over two decades.

Paul has won numerous multimillion dollar jury verdicts in state and federal jurisdictions around the country. Three of those were among the top 100 largest verdicts rendered in the U.S. for that year. Paul has also successfully defended his clients against billions of dollars of potential claims. He has successfully argued appeals in numerous state and federal jurisdictions around the country, including the highest courts in Texas, New York, and Delaware, and has advised clients on matters around the world.

His decades of experience also encompass real estate, bankruptcy, and hospitality-related litigation. He has also advised and defended clients, ranging from large public companies to individuals, in all types of government investigations and compliance issues, especially in the financial services, healthcare, and technology industries. This includes matters involving EB-5 litigation, where Paul has advised investor groups, developers, individuals, and agents seeking payment from regional centers as well as representing EB-5 whistleblowers.

PRACTICES & INDUSTRIES

Business Litigation
Securities Litigation, Arbitration & Enforcement Actions
Structured Finance & RMBS Litigation

ADMISSIONS

Texas
U.S. District Court for the Northern District of Texas
U.S. District Court for the Southern District of Texas
U.S. District Court for the Western District of Texas
U.S. Supreme Court
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the District of New Mexico
New York
U.S. Bankruptcy Court for the Northern District of Texas
U.S. District Court for the Southern District

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EXPERIENCE

Lead trial lawyer in obtaining and collecting a \$66 million judgment at trial for a commercial lender against a defaulted borrower on a \$50 million loan.

Lead trial lawyer in a contract dispute involving unregistered securities where a \$21 million plus jury verdict was returned for the client.

Lead trial lawyer in a New York federal court jury trial involving an oral contract to sell securities, where a \$36 million verdict was returned to the client.

Represents international agents and investors in contract and tort claims relating to EB-5 projects.

Obtained the summary dismissal of an \$85 million dollar tortious interference claim brought by a competing bidder in the sale of a cable company in Delaware. Argued to, and affirmed by, the Supreme Court of Delaware.

Obtained the reversal of a New York court's denial of a motion to dismiss, resulting in the dismissal of a complaint asserting a \$753 million breach-of-contract claim.

Successfully defended a number of investor claims, involving hundreds of millions of dollars, stemming from the Great Recession in 2008 against various hedge funds.

Successfully prosecuted a number of claims involving oil and gas reserves, including a million-dollar jury trial verdict, and representing holders of senior subordinated notes against a reservoir engineering company for certifying an issuer's oil reserve estimates.

Successfully represented a number of large financial institutions in both direct and third-party lawsuits involving legal and accounting malpractice claims.

of New York

Appellate Division of the Supreme Court of the State of New York in the Third Judicial District

EDUCATION

Columbia University School of Law, J.D., 1994

- Harlan Fiske Stone Scholar
- *Columbia Law Review*, Senior Editor

Emory University, B.A., *with honors*, 1991

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Successfully argued to the highest court in New York a decision of first impression that promissory notes are securities under New York state law.

Successfully represented a number of bondholders of bankrupt estates suing various creditors for actions they had taken that had diminished the value of bond debt, resulting in groundbreaking decision by the Fifth Circuit that creditors may have direct claims, even if the actions taken affected the value of the estate.

Obtained dismissal of lenders in a lawsuit brought by 300 German nationals in a case relating to the construction of the Washington Super Mall, which was affirmed on appeal.

Served as the lead litigator for a number of bankruptcy litigation trustees in a variety of high-profile matters.

Lead counsel for the officers, directors and largest shareholders of Avatex Corporation (f/k/a FoxMeyer Health Corporation) and the directors and officers of its debtor subsidiaries, FoxMeyer Drug Company and FoxMeyer Corporation, in a number of matters.

Defended the debtors' directors and officers in breach-of-fiduciary duties claims brought by the bankruptcy trustee and related insurance coverage lawsuits in multiple jurisdictions.

Represented Avatex in preference claims brought by the trustee, and represented Avatex in actions in Delaware and Texas involving the Trustee, McKesson and 12 of the largest drug manufacturers in the world in fraud claims relating to the sale of the debtors' assets to McKesson.

Lead litigator for several of the country's largest hotel management companies and hotel franchising organizations in commercial disputes involving hundreds of millions of dollars.

RECOGNITIONS

Selected as a 2020 BTI Client Service All-Star

Selected to 2020 Texas *Super Lawyers* List

PROFESSIONAL & CIVIC ACTIVITIES

American Bar Association

NEWS

Corcoran, Lackey and McGowan Examine Virtual Proceedings, Risks Involved in *New York Law Journal*
05.16.2023

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Lackey, McGowan Address Covid-19's Effect on Arbitration Proceedings in *The Texas Lawbook*
04.11.2023

Driven by Client Demand Stinson LLP Relocates to Larger New York Office
02.01.2023

Office Insight Highlights Stinson's New Downtown Dallas Office
10.25.2022

Paul Lackey, Kieran Corcoran Author EB-5 Article for *New York Law Journal*
04.04.2022

Paul Lackey Outlines How the Pandemic Has Created EB-5 Problems in *Texas Lawbook* Article
12.01.2021

Dallas Attorney Paul Lackey Selected as a 2020 BTI Client Service All-Star
12.11.2020

Paul Lackey Selected to 2020 Texas *Super Lawyers* List
09.22.2020

SPEAKING ENGAGEMENTS

"Commercial Litigation Update," Business Law Update, Stinson LLP, March 2023

"Dear Ethics Lawyer Part 2: Ethics Q&A for Corporate Counsel," Stinson LLP, February 2023

"Dear Ethics Lawyer Part 1: Ethics Q&A for Corporate Counsel," Stinson LLP, October 2022

"Commercial Litigation Update," Business Law Update, Stinson LLP, March 2022

"Litigation Update," Business Law Update, Stinson LLP, March 2021

"Distressed M&A Deals and Anticipated Litigation," Stinson LLP, May 2020

"High Stakes Litigation," Business Law Update, Stinson LLP, February 2019

2023 Business Law Update
03.02.2023

Business Law Update
03.03.2022

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2021 Business Law Update

03.04.2021

PUBLICATIONS

"How Covid Has Left the Road to Arbitration Full of Potholes.", *The Texas Lawbook*, April 2023

"Congress Reforms the EB-5 Program. Here's What You Need to Know.", *New York Law Journal*, April 2023

"How the Pandemic Has Created EB-5 Problems", *Texas Lawbook*, December 2021

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