



# Danny Newman



## ASSOCIATE

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## LEGAL SERVICES

Corporate & Business Owner Disputes	Administrative & Regulatory Law
Contract & Commercial Disputes	Antitrust Advice & Advocacy
Bankruptcy & Reorganization	Energy Law & Litigation
Appeals	Government Solutions

## EDUCATION

J.D., Northwestern University School of Law, 2014  
B.A., Political Science and Public Policy, Rice University, 2010

## BAR & COURT ADMISSIONS

Oregon State Bar  
State Bar of Texas  
U.S. Court of Appeals for the Ninth Circuit  
U.S. District Court for the Districts of Oregon, Western Texas, and Southern Texas  
U.S. Bankruptcy Court for the District of Oregon, Western Texas, and Southern Texas

## AWARDS & RECOGNITION

**The Best Lawyers in America**  
2022, Ones to Watch – Commercial Litigation  
2022, Ones to Watch – Litigation - Bankruptcy

## PROFESSIONAL MEMBERSHIPS

Multnomah Bar Association

## COMMUNITY INVOLVEMENT & ACTIVITIES

**Oregon Health Justice Center**  
Board of Directors – Member

Danny Newman is an Associate in Tonkon Torp’s Litigation Department and Bankruptcy & Creditor Rights Practice Group.

He joined Tonkon Torp after completing a clerkship with Judge Richard C. Tallman at the U.S. Court of Appeals for the 9th Circuit, focusing on the circuit’s civil appeals. Prior to that clerkship, Danny worked on large and complex bankruptcy cases, bet-the-company commercial and energy litigation, and government anti-corruption and bribery investigations in the Houston office of Paul Hastings LLP. In his first job out of law school, Danny served as a law clerk to Judge Xavier Rodriguez at the U.S. District Court for the Western District of Texas in San Antonio, where he assisted with all aspects of civil litigation — from motions to dismiss through trial — as well as with criminal substantive motions and trials.

Danny also previously co-taught a negotiations seminar as an adjunct professor at Gonzaga Law and at South Texas College of Law Houston. He maintains an active pro bono practice, including forming and advising nonprofit clients, representing immigrants seeking asylum or special status, and pursuing civil rights claims.

Danny earned his J.D. from Northwestern University School of Law in 2014, and graduated from Rice University in 2010 with a B.A. in Political Science and Public Policy, with a focus on American government and urban policy.

Outside of work, Danny enjoys grilling, sports, politics, and international travel. As Portland newcomers, he and his wife are enjoying exploring the city and surrounding area and getting to know their new neighbors.

## Presentations & Publications

“Ninth Circuit Case Notes,” Oregon State Bar Debtor-Creditor Newsletter, Fall 2021

“Class Claims in Chapter 11: Are They Allowed and How Do You Get Them?” Oregon State Bar Debtor-Creditor Section, October 2021

“Bankruptcy and State Court Case Law Update,” Oregon State Bar Debtor-Creditor Section, October 2021

“Ninth Circuit Case Notes,” Oregon State Bar Debtor-Creditor Newsletter, Spring 2021

Panelist, “Understanding Federal Clerkships,” Federal Bar Association Student Chapter, Northwestern University Pritzker School of Law, March 2021

“Chapter 11 Bankruptcy: The Ultimate Corporate Finance Tool,” Portland Business Journal, February 2021

<p>"Ninth Circuit Allows Broader Exculpation Clauses," Oregon State Bar Debtor-Creditor Newsletter, Fall 2020</p> <p><a href="#">"Banks Sue Over Oregon's Foreclosure Moratorium,"</a> Ear to the Ground Blog, October 2020</p> <p><a href="#">"Fannie Mae Extends Temporary Moratorium on Residential Foreclosures and Evictions,"</a> Ear to the Ground Blog, September 2020</p> <p>"Negotiating During a Pandemic: Focus on These Five Areas Right Now," Oregon State Bar Bulletin, June 2020</p>	<p><a href="#">"Force Majeure Clause Hitz the Spot for Restaurant Tenant,"</a> Ear to the Ground Blog, June 2020</p> <p>"Coronavirus Changed the World: Have You Adapted Your Negotiation Tactics?" Tonkon Torp Legal Update, April 2020</p> <p>"Bankruptcy and Restructuring in the Cannabis Industry in 2020 and Beyond," Portland Business Journal, April 2020</p> <p>"The CARES Act Provides Small Businesses Additional Bankruptcy Relief," Tonkon Torp Legal Update, April 2020</p>
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## Representative Matters

### Recent Matters

- Representing NORPAC Foods, Inc and its affiliates as debtors in their chapter 11 cases
- Represented landlord and largest creditor in Subchapter V bankruptcy
- Represented debtors in several chapter 11 bankruptcy cases
- Represented a fortune 100 company as a creditor in multiple chapter 7 cases
- Helped defeat summary judgment for a plaintiff public entity in an arbitration, leading to a seven-figure settlement before trial
- Prepared a lawsuit and negotiated a seven-figure settlement for a public entity in a contract dispute
- Represented a cannabis client in its out-of-court workout and refinancing, including resolving eight-figures' worth of claims against him and his various entities
- Aided in various other representations in state and federal court, and domestic and international arbitrations

### Bankruptcy and Restructuring

- Represented an energy company in its restructuring efforts for more than \$2 billion in debts, from preparation for filing for Chapter 11 through confirmation. Responsibilities included the negotiation of settlements, drafting and arguing motions and applications at hearings, day-to-day management of restructuring process with the client and creditors, and claims objections.
- Represented Official Committee of Unsecured Creditors in the Commonwealth of Puerto Rico on a variety of issues, including, most notably, the restructuring of the Government Development Bank for Puerto Rico.
- Represented a large industrial-technology firm, including in adversary proceedings.
- Represented an energy company in pre-bankruptcy negotiations in a dispute with the company's creditors, including the owner of its office-space.
- Represented lenders before and during forbearance periods.

### Litigation

- Represented a publicly traded energy company in state and federal court, as well as before an international arbitration tribunal, in a lawsuit against its joint venture partners.
- Represented a national movie theater company against antitrust allegations in state court.
- Represented a large oilfield services company in a multi-billion dollar breach of contract dispute with another industry player in state court.
- Represented a publicly traded energy company in state court responding to allegations of misrepresentations from investors.
- Represented a large midstream company against allegations of various tort and fraud allegations relating to a joint venture.

- Represented a large privately owned construction and engineering company in a FLSA arbitration appeal in federal court.
- Represented a multinational construction firm with employee-related litigation.
- Represented a large midstream company responding to a third-party subpoena.
- Represented a multinational oilfield services company responding to a thirdparty subpoena related to FCPA-related litigation.

#### **Government Solutions & Investigations**

- Tonkon represents NORPAC Foods, Inc. and its affiliates as debtors-in-possession in their chapter 11 bankruptcy cases. The case has included two major asset sales, the first of which caused the United States Department of Justice Antitrust Division to withhold approval and investigate potential anticompetitive impacts and other antitrust violations. Tonkon worked with the DOJ through its investigation by submitting voluntary document productions, offering key witnesses for interviews, and submitting white papers on various legal issues. The DOJ eventually closed its investigation without taking any action and the sale proceeded without incident.
- Represented a mid-sized pharmaceutical company in connection with a federal investigation into patient support program, pricing, and specialty pharmacy issues.
- Represented a large oilfield services company in an FCPA investigation related to leaked documents to the media.
- Represented a large oil-field services company in an FCPA investigation related to transactions in Brazil.
- Represented a multinational pharmaceutical company in connection with its global anti-corruption/FCPA due diligence associated with its US\$16 billion acquisition of the vaccines business of another pharmaceutical company, divestiture of its oncology business, and a consumer healthcare joint venture.
- Represented an audit committee of multinational renewable energy firm in connection with alleged executive wrongdoing.

#### **Pro Bono**

- Representing community organization in its efforts to remove unconstitutional and racist deed restrictions
- Representing Ramos project post-conviction relief candidate
- Represented an undocumented minor to achieve special immigrant juvenile status in state court and before the USCIS.
- Represented a Duke University Law School Wrongful Convictions client on his second appeal of a murder conviction.
- Formed various nonprofit organizations.
- Advised a religious and spirituality organization in small business dealings.

