



Ryan C. Cadwallader

Shareholder

rcadwallader@kmclaw.com

801.328.3600

Practice Areas

Administrative Proceedings
Bankruptcy
Boundary Disputes
Business Disputes
Complex Commercial Litigation
Construction Litigation
Landlord/Tenant Disputes
Litigation
Probate and Trusts
Shareholder Disputes

Ryan Cadwallader is a member of the firm's Litigation section. His practice focuses on helping individuals and businesses resolve disputes and solve problems in the areas of civil, business, and real estate litigation. Ryan also has significant experience representing and advising debtors, creditors, and trustees in bankruptcy. Relatedly, Ryan served as the past chair of the Utah Bankruptcy section of the Utah State Bar.

Experience

Litigation Experience

- Successfully dismissed civil stalking injunction against individual officer of a nonprofit organization during two-day trial.
- Successfully prosecuted fraud claim against defendants for fraudulent transfer of multimillion-dollar real property during three-day trial.
- Obtained favorable settlement for client in multiple lawsuits for alleged fraudulent misrepresentations related to commercial real estate development.
- Obtained favorable settlement for payroll services company for alleged misappropriation of funds.
- Obtained favorable ruling on behalf of franchisor against former franchisee for violating non-disclosure and non-solicitation agreements in international shipping industry.
- Drafted successful motion for summary judgment compelling plaintiff to voluntarily dismiss all claims, including theft of trade secrets, conversion, and breach of fiduciary duties related to alleged business dispute damages exceeding \$50 million.
- Drafted successful motion to dismiss complaint asserting fraud related to business dispute for general and punitive damages barring plaintiff from refiling claims.
- Drafted successful motion to dismiss complaint asserting conspiracy to commit fraud and commercial bribery for over \$2 million related to business dispute.
- Successfully defended seller on motion for summary judgment against all of buyer's claims, including fraudulent concealment and negligent misrepresentation related to sale of real estate.
- Assisted in drafting successful motion to dismiss complaint asserting right of first refusal in condemnation action of property against county school district.
- Drafted successful motion to dismiss multi-count complaint asserting third-party contract and breach of contract theories respecting lease agreement.
- Managed discovery collection, review, and production matters related to intellectual property, business disputes, and Department of Justice and SEC investigations.

Ryan C. Cadwallader

Experience Continued

Bankruptcy and Restructuring

- Represented commercial real estate buyer in navigating \$17 million § 363 asset sale process in event-center chapter 11 proceeding.
- Represented commercial landlords with issues related to rejection, assumption, and assignment of non-residential leases in various bankruptcy matters, including Toys “R” Us, Inc.; Shopko; Payless Holdings LLC; Sears Holding Corporation; and Mattress Firm, Inc.
- Represented creditors in trustee avoidance actions, including preferences and fraudulent transfer litigation and negotiated favorable settlements.
- Represented creditors in contested matters and adversary proceedings, including objections to dischargeability and relief from the automatic stay.
- Drafted successful motion for summary judgment dismissing all of trustee’s claims to avoid charitable contributions to religious organization.
- Represented chapter 13 trustee in hundreds of hearings respecting plan confirmation and motion practice. Conducted hundreds of § 341 meetings investigating debtors on behalf of trustee. Represented trustee in evidentiary hearings.

Representative Cases

- Drummond v. Veritas Funding, LLC, 2:21-CV-00423, 2024 WL 476619 (D. Utah Feb. 7, 2024) (dismissing Plaintiff’s Truth and Lending Act claim for monetary damages under applicable statute of limitations and excluding expert’s offered opinion about legal conclusions).
- First Guaranty Bank v. Republic Bank, 2022 WL 787971 (D. Utah Mar. 14, 2022) (slip copy) (participated on trial team, which successfully defended against claims for contract rescission of sale of leases and dismissal of several breach of contract claims and requests for prejudgment interest and attorney fees).
- Hunt Irrevocable Trust v. Air Medical Group Holdings, LLC, No. 21-2679-RGA, 2022 WL 607016 (D. Del. Feb. 4, 2022) (slip copy).
- Li v. Lewis, 2021 WL 5817953 (D. Utah Dec. 7, 2021) (slip copy).
- Drummond v. Veritas Funding, LLC, 2021 WL 4291089 (D. Utah Sept. 21, 2021) (denying plaintiff’s motion for permanent injunction related to Truth and Lending Act claim).
- Premier Tech, Inc. v. United States, 2:20-cv-890-TS-CMR, 2021 WL 2982064 (D. Utah July 15, 2021) (slip copy) (denying defendant’s motion to dismiss complaint).
- Ahmad v. Fulkerson, 2021 WL 52535972, (D. Nev. May 14, 2021) (dismissing plaintiff’s complaint for lack of personal jurisdiction); 2023 WL 370875 (9th Cir. Jan. 24, 2023) (affirmed).

Ryan C. Cadwallader

Experience Continued

- Christensen v. Graco Fishing & Rental Tools, Inc., 2021WL 1948004 (D. Utah May 14, 2021) (dismissing plaintiff's complaint for failure to state claim for relief).
- In re Petersen, 561 B.R. 788 (Bankr. D. Utah 2016).
- In re Cannon, 521 B.R. 686 (D. Utah 2014).
- In re Cannon, No. 13-24366, 2013 WL 6499304 (Bankr. D. Utah Dec. 11, 2013)

Education

University of Utah S.J. Quinney College of Law, JD, 2011

- Note & Comment Editor for the *Journal of Law and Family Studies*

Utah State University, BS Political Science, *cum laude*, 2005

Admissions & Affiliations

Bar Admissions: Utah State Courts
 United States District Court for the District of Utah
 United States Court of Appeals for the Tenth Circuit
 United States Bankruptcy Appellate Panel for the Tenth Circuit

Affiliations: Utah Bankruptcy Section, Utah State Bar (Former Chair, Vice-Chair, Treasurer, and CLE Coordinator)
 Utah Litigation Section, Utah State Bar
 American Bankruptcy Institute
 Utah Bankruptcy Lawyers Forum

Clerkships

- Law Clerk, Honorable Kevin R. Anderson, bankruptcy judge for the United States Bankruptcy Court, District of Utah, 2016-2017
- Extern, Honorable Richard L. Speer, bankruptcy judge for the United States Bankruptcy Court, District of Northern Ohio, 2009

Honors & Awards

- Mountain States Super Lawyers: Rising Star for Bankruptcy: Business (2021)
- Best Lawyers: Ones to Watch in America, Bankruptcy and Creditor Debtor Rights, Insolvency and Reorganization Law, Commercial Litigation, Litigation – Bankruptcy (2021-2024)