



Stephen C. Stapleton
Of Counsel

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Practice Areas

- Appellate
- Bankruptcy and Creditors' Rights
- Commercial and Business Litigation
- Corporate and Business
- Hospitality and Lodging

Practice Emphasis

Stephen C. Stapleton is section head of the Cowles and Thompson Corporate and Business practice group and a member of the Bankruptcy practice group. He focuses his practice on commercial bankruptcy litigation and creditors' rights. He is experienced in business bankruptcy cases, commercial loan workouts and creditor enforcement actions, including foreclosures on behalf of financial institutions. He has particular experience working with clients in the financial, energy, and travel industries. Steve is experienced with commercial litigation as well as mediation.

Experience

- Represents one of the leading providers of decision-support tools, reservations systems and consulting services for airlines
- Represents one of the largest on-line travel service companies in the world
- Represents one of the largest wireless telephone companies in the United States
- Represents one of the largest loan servicers in the United States in various bankruptcy, workouts and state and federal receiverships
- Represents a California-based national banking association in various bankruptcy and loan workouts

Publications and Speaking Engagements

- **"The Seventh Circuit: Title VII of the Civil Rights Act Bars Discrimination Based on Sexual Orientation,"** author, Cowles & Thompson Newsletter, April 2017
- **"Syntactic Ambiguity,"** author, Cowles & Thompson Newsletter, March 2017
- **"A Debtor's Wages cannot be Transferred Until They are Earned,"** author, Cowles & Thompson Newsletter, March 2017
- **"Compliance with Rule 34 is Not Optional,"** author, Cowles & Thompson Newsletter, March 2017
- **"The Unassailability of a Perfect Metaphor,"** author Cowles & Thompson Newsletter, February 2017
- **"A Mediation Statement is Privileged,"** author, Cowles & Thompson Newsletter, January 2017
- **"A Narrowing of Baker Botts v. Asarco?"** author, Cowles & Thompson Newsletter, November 2016
- **"The Continuing Saga of Who is Entitled to the Proceeds of a Law Firm's Unfinished Business,"** author, Cowles & Thompson Newsletter, October 2016
- **"A Ten-Year Look-Back Period for Fraud,"** author, Cowles & Thompson Newsletter, September 2016
- **"Sanctions for Spoliation,"** author, Cowles & Thompson Newsletter, August 2016
- **"The Cost of Due Process,"** author, Cowles & Thompson Newsletter, July 2016
- **"Can an Involuntary Chapter 11 Ever Constitute Involuntary Servitude?"** author, Cowles & Thompson Newsletter, June 2016

- **“The Scope of Attorney Immunity in Texas,”** author, Cowles & Thompson Newsletter, May 2016
- **“The Supreme Court Clarifies the Meaning of ‘Value’ in Ponzi Scheme Case,”** co-author, Cowles & Thompson Newsletter, April 2016
- **“5 Major Mistakes Business Owners Make,”** (and the role of bankruptcy), speaker, Cowles & Thompson Legal Risk Management Seminar, Frisco Chamber of Commerce, October 28, 2015
- **“A Debtor’s Sales in Bankruptcy,”** author, Cowles & Thompson Newsletter, October 2015
- **“Same As It Ever Was, Same As It Ever Was,”** author, Cowles & Thompson Newsletter, September 2015
- **“Pocket-Dialing Offers No Expectation of Privacy,”** author, Cowles & Thompson Newsletter, August 2015
- **“Hey, Let’s Be Careful Out There!,”** author, Cowles & Thompson Newsletter, April 2015
- **“A Short and Plain Statement of the Claim,”** author, Cowles & Thompson Newsletter, April 2015
- **“Beware the Scrivener’s Error – It Could Destroy Your Lien,”** author, Cowles & Thompson Newsletter, March 2015
- **“The Attorney-Client Privilege – Some Important Considerations to Remember,”** author, Cowles & Thompson Newsletter, February 2015
- **“New Value – An Often Overlooked Preference Defense,”** author, Cowles & Thompson Newsletter, January 2015
- **“What is the Ordinary Course to a Preference Claim in Bankruptcy?”** author, Cowles & Thompson Newsletter, November 2014
- **“Inherited Retirement Funds Are Not Exempt,”** author, Cowles & Thompson Newsletter, August 2014
- **“Current Selected Issues in Bankruptcy,”** author, *Bankruptcy Bar Association for the State Bar of Texas*, December 2010
- **“Systemic Financial Failure: Can We Stop the Risk,”** author, *Bankruptcy and Restructuring; Chapter 11 Strategies 2010* Thomson Reuters/Aspatore 2010, Summer 2010
- **“What Does the Current Financial Crisis Portend for Bankruptcy Reorganizations?,”** author, *Bankruptcy and Restructuring; Chapter 11 Strategies 2009* Thomson Reuters/Aspatore 2009, February 2009
- **“Inside the Minds: Bankruptcy in the Airline and Travel Industries,”** author, Aspatore Books, Fall 2008
- **“Inside the Minds: Bankruptcy and Financial Restructuring Law, Client Strategies,”** author, Aspatore Books, Spring 2008
- **“A New Standard for Rule 12(b)(6),”** author, *ABI Journal*, Dec/Jan 2008
- *Procedure in Bankruptcy, Bankruptcy and the Secured and Unsecured Creditor Chapter 13 Issues, and Bankruptcy Ethics*, presenter, National Business Institute, Inc., Bankruptcy Fundamentals, October 1999
- *Bankruptcy and the Secured Creditor, Chapter 13 Issues, Bankruptcy Ethics*, presenter, National Business Institute, Inc., Bankruptcy Fundamentals, Summer 1998
- **“The Arts in Education,”** author, *Principal Magazine*, Spring 1997
- *Everything You Should Know About Bankruptcy Procedure*, presenter, National Business Institute, Inc., Bankruptcy Fundamentals, Spring 1997
- *Is Foreclosure Your Best and Only Option?* and *Bankruptcy and the Secured Creditor*, presenter, National Business Institute, Inc., Bankruptcy Fundamentals, Spring 1994
- **“Acquiring Assets of Insolvent Companies,”** author, *Turnaround, Issues in Survival Management*, Vol. III, No. 2 (Fall 1993)
- *Property Exemptions Available in Texas*, presenter, Bankruptcy Fundamentals for Lawyers and Legal Assistants, South Texas College of Law, Continuing Legal Education, June 27-28, 1991

Business Boards

- American Bankruptcy Institute:
 - Bankruptcy Litigation Committee
 - Business Reorganization Committee
 - Real Estate Committee
 - Uniform Commercial Code Committee
 - Unsecured Trade Creditors Committee

Education

- J.D., University of Tulsa School of Law, 1984
 - Jurisprudence Award in Constitutional Law, 1984
 - Member, Law Journal from 1983-1984
- B.A., George Mason University, 1977
- Bankruptcy Mediator, certified by the American Bankruptcy Institute

Court Admissions

- Admitted to State Bar of Texas, 1989
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Appeals for the Sixth Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Tenth Circuit
- U.S. District Court, Northern District of Texas
- U.S. District Court, Eastern District of Texas
- U.S. District Court, District of Arizona
- U.S. District Court, Eastern and Western Districts of Arkansas

Professional Associations

- State Bar of Texas
- American Bar Association
- Dallas Bar Association
- Fifth Circuit Court of Appeals Bar Association