



Paul R. Gaus Associate

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Practice Areas

Bankruptcy & Insolvency | Complex Business Litigation | Construction Litigation | Food & Agriculture Litigation | Intellectual Property Litigation | Real Property & Land Use Litigation

Paul combines exceptional advocacy skills with specialized knowledge in bankruptcy law to offer his clients a competitive advantage in complex business disputes and bankruptcy litigation.

Recognizing the threat of bankruptcy often looms over high-stakes business litigation, Paul blurs the distinction between bankruptcy attorney and litigator to provide full-service counsel for his clients. His litigation practice encompasses all forms of complex business matters including intellectual property and trade secret litigation, shareholder derivative suits, and other business torts in both federal and state court. In bankruptcy court, Paul represents financial institutions, secured lenders, and judgment creditors in main cases, contested matters, adversary proceedings, and appeals where he draws from his prior experience as a federal bankruptcy law clerk to craft a cost-effective, holistic litigation strategy for his clients.

Experience

- Obtained 12(b)(6) dismissal of complaint primarily alleging securities fraud and civil RICO claims in the United States District Court for the Eastern District of California.
- Successfully briefed and argued dispositive motion in the United States District Court for the Eastern District of California on behalf of inventor of a hernia repair device.
- Prevailed on contested motion for relief from the automatic stay on behalf of secured lender to foreclose on valuable agricultural land worth in excess of \$1,500,000.00 in the United States Bankruptcy Court for the Eastern District of California.
- Successfully opposed dual motions to quash subpoenas for financial records of opposing party in an adversary proceeding in the United States Bankruptcy Court for the Eastern District of California.
- Obtained dismissal of five-claim adversary complaint at the pleading stage for failure to state a claim upon which relief can be granted on behalf of large Central California lending institution.
- Represented major judgment creditor in bankruptcy proceeding in the United States Bankruptcy Court for

the Eastern District of California that resulted in favorable settlement and dismissal of bankruptcy case.

Professional & Community Service

- Sacramento County Bar Association, Bankruptcy and Commercial Law Section, 2020-present
- Sacramento Metro EDGE, 2020-present
- Kids in Need of Defense (KIND), Volunteer Attorney
- Pro Bono Panel for the United States District Court for the Eastern District of California
- Credit Abuse Resistance Education, Presenter, 2017-2018

Education

- J.D., University of Minnesota, 2017
- B.A., International Relations, Marquette University, 2012

Honors & Rankings

- Clerkship, Judge William J. Fisher, United States Bankruptcy Court for the District of Minnesota, 2017-2018

Publications

- *Only the Good Regulations Die Young: Recognizing the Consumer Benefits of the FCC's Now-Defunct Privacy Regulations*, Minnesota Journal of Law, Science & Technology, Volume 18, Issue 2, June 2017