

BACK STORY

THE LIFE AND LEGACY OF A NEVADA BANKRUPTCY JUDGE: THE HONORABLE GREGG W. ZIVE

BY JENNIFER A. SMITH, ESQ.

Judge Gregg W. Zive was sworn in as a bankruptcy judge on January 23, 1995, and reappointed in 2009. He retired in 2010, but was thereafter recalled as a senior judge on a full-time basis. Given his prodigious work ethic, his working “retirement” has been a source of amusement among members of the bench and bar, but it also gives us the opportunity to look back with him on his life and legacy.

Zive graduated from the University of Nevada, Reno in 1967, with a degree in journalism; he then served as an officer in the U.S. Army. He graduated magna cum laude from the University of Notre Dame Law School in 1973, where he served as the note and comment editor of the law review. Clearly, writing has always been in his blood – a skill which has stood him in good stead on the bench.

His legal career began at Gray, Carey Ames & Frye in San Diego, where he cut his legal teeth before returning to Reno, working first at Breen, Young, Whitehead & Hoy, followed by 14 years at Hale, Lane, Peek, Dennison & Howard. He then did stints at Lionel Sawyer & Collins and Bible, Hoy, Trachok, Wadhams & Zive before taking the bench in 1995.

During his long tenure, Zive was widely respected and admired for his judicial expertise, not only in Nevada, but also nationwide. Indeed, Turnaround & Workouts, a publication of the Beard Group, named Zive an outstanding bankruptcy judge six times. He is often referred to as a “lawyers’ judge” – one who can be counted upon to prepare diligently to hear cases, synthesizing and distilling the salient points from vast amounts of information, listening carefully and thoughtfully to the arguments presented to him, and then ruling fairly and quickly, usually from the bench. Throughout, he always maintained firm control of the courtroom with courtesy and a liberal dose of humor.

When asked about the highlights of his judicial career, Zive described how much he enjoyed the variety of cases he heard, ranging from complex business cases involving over \$5 billion in liabilities, to small consumer cases involving several thousand dollars. He emphasized that, while the larger cases can entail significant legal and factual issues, the smaller consumer cases can be one of the most important events of the individual



debtors’ lives, and he never forgets that.

On the business side of his docket, Zive remembers the *Bluebird* case, on which he has lectured extensively. It was a “pre-packaged” Chapter 11 case, handled with unprecedented lightning speed – approximately 36 hours from the filing of the bankruptcy petition to confirmation of the Chapter 11 plan. Zive pointed out that *Bluebird* was a unique case, in that the lawyers had done all the work in advance, so there was ample evidence in the record to support the arguments in favor of the plan, and due process was carefully observed.

When asked what advice he would offer lawyers, Zive commented that, first

and foremost, a lawyer’s reputation is all-important but can be lost in one minute of ill-advised behavior. As a member of the ABA Task Force for Civility, which just published its guidelines, he added that, if a lawyer is civil with his or her peers, that lawyer will be civil with the court and, of course, civility is closely tied to an attorney’s reputation.

Zive is married to LuAnn, who he credits with keeping him humble and immune from the dreaded “black robe disease.” They have two children and two grandchildren, as evidenced by the many pictures in his chambers. In addition to his judicial duties, anyone who attends UNR basketball games has seen Zive in his striped jersey, acting as the official scorekeeper for both the men’s and women’s teams, a job that he has performed with great enthusiasm for 38 years.

Those of us who have had the distinct pleasure and privilege of practicing before Zive will truly miss him when he really does retire, but we wish him all the best as he takes time to travel more and enjoy his lovely family. ■



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