



Wendi Alper-Pressman

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PRACTICE AREAS

Consumer Finance & Regulation

Financial Services

Asset Sales & Acquisitions

Bankruptcy Litigation

Debtor Representation

Receiverships

Secured Creditor
Representation

Unsecured Creditors &
Committee Representation

Workout & Restructuring

Class Action

INDUSTRIES

Cannabis

Wendi Alper-Pressman's principal focus is on the representation of both borrowers and lenders in connection with construction financing, asset based loan facilities and commercial real estate loans. Most recently, Wendi has represented law firms in connection with negotiating and structuring of litigation finance transactions and prepared non-consolidation opinions for special purpose entities in securitized loan facilities.

She has represented developers, business owners, regional banks, national banks, community banks and finance companies in loan workouts and restructurings, forbearance agreements, foreclosures, bankruptcy proceedings, enforcement actions, lender liability and other litigation. Wendi's bankruptcy experience ranges from the preparation of routine filings on behalf of unsecured creditors to the development and implementation of sophisticated strategies on behalf of secured creditors, equipment lessors, landlords and official unsecured creditors' committees, including retiree committees. She has represented purchasers of distressed assets both in and outside of bankruptcy proceedings, and has litigated dischargeability complaints, preferences and fraudulent conveyance actions, issues relating to the allowance of claims, validity of liens and executory contracts.

Representative Experience

Transactional

- Represented a regional bank in negotiation and documentation of construction loans, tax equity bridge financings, asset-based lending facilities and acquisition loans totaling more than \$100 million.

COURT MEMBERSHIPS

- Missouri
- Illinois
- U.S. District Court for the Central District of Illinois
- U.S. District Court for the Southern District of Illinois
- U.S. District Court for the Eastern District of Missouri
- U.S. District Court for the Western District of Missouri
- U.S. Supreme Court

EDUCATION

Washington University School of Law, J.D., 1985

- *Journal of Urban and Contemporary Law*, Associate Editor

Vanderbilt University, B.A., 1982

- Represented a national bank in connection with negotiation and documentation of rail car financing facility with a total commitment in excess of \$20 million.
- Represented a national bank in loan syndication totaling \$500 million.
- Represented borrower entities in connection with negotiation and closing of credit facility aggregating \$85 million from senior and mezzanine lenders secured by collateral located in multiple jurisdictions.
- Represented a borrower law firm in the structuring and negotiation of a litigation finance revolving credit facility in the amount of \$50 million.
- Represented a borrower law firm in the structuring and negotiation of a litigation finance term facility in the amount of \$10 million and associated intercreditor agreement with law firm's primary lender.
- Represented borrower entity in successful work-out of \$65 million revolving credit facility, and the subsequent asset sale resulting in full payment to creditors and significant distribution to shareholders.

Litigation

- Represented a national bank in securing summary judgment on borrower's claims for breach of contract, breach of fiduciary duty, breach of duty of good faith and fair dealing; and secured judgment against borrower and guarantor for full balance due under the notes, recovering in excess of \$16 million through the disposition of collateral.
- Represented a regional bank in federal court receivership, as well as the disposition of real estate collateral in four states, the proceeds of which exceeded \$20 million.
- Represented a national bank in connection with enforcement of its rights as a loan participant in a \$120 million revolving credit facility to a home builder.
- Represented a retail installment lender in the successful defense of putative class action asserting violations of the automatic stay and discharge injunctions.

Reported Decisions

- *Hartford Underwriters Ins. Co. v. Union Planters Bank, N.A.*, (In re: *Hen House Interstate*), 530 U.S. 1 (2000) (Associate counsel).

Counsel to Hartford Underwriters Insurance Company in its effort to surcharge lenders collateral pursuant to 11 U.S.C. § 506(c) for unpaid workers compensation premiums in Chapter 11 proceeding, later converted to Chapter 7.

- *Lee v. N.F. Investments*, 2000 U.S. Dist. LEXIS 20712 (2000). Co-Counsel to mortgage broker in defense of class action litigation alleging an illegal yield-spread premium under RESPA. The District Court denied class certification and granted summary judgment in favor of the broker. This was the first court decision which distinguished between fees permitted for subprime and conforming loans.

Presentations

- Speaker, *Legal Issues and Regulatory Changes*, Risk Management Association, St. Louis Chapter, January 2015
- Speaker, *Legal Panel Litigation Update*, Risk Management Association, St. Louis Chapter, January 2014
- Speaker, *Receiverships as Alternatives to Liquidation or Chapter 11*, Issues, Trends & Perspectives in Commercial Law, MoBarCLE, August, 2010
- Speaker, *Your Customer Files or Is About to File Chapter 11 Bankruptcy: What Do You Do and What Will Happen?*, ACC - St. Louis Chapter, March 26, 2009
- Faculty Member, *Missouri Bar, Annual Bankruptcy Institute*, Spring 2000

Publications

- Contributing Author, *Missouri Creditors Remedies*, Sixth Edition, Missouri Bar Publications, Fall 2009
- Contributing Author, *Missouri Bankruptcy Practice*, Second Edition, Missouri Bar Publications, Fall 2007
- Contributing Author and Faculty Member, *Bankruptcy in Missouri - Lorman Education Services*, Spring 2001
- Contributing Author, *Missouri Creditors Remedies*, Fifth Edition, Missouri Bar Publications, Spring 1999
- Co-author, *Eighth Circuit Schedules Rare En Banc Double Header on Jurisdiction and Collateral Surcharge Issues*, Norton Bankruptcy Law Advisor, West Group, October 1998
- Faculty Member and Contributing Author, *Bankruptcy for Non-Bankruptcy Lawyers*, Bar Association of Metropolitan St. Louis,

1998

- Faculty Member and Contributing Author, *Collecting Judgments in Missouri*, National Business Institute, 1992
- Faculty Member and Contributing Author, *Problem Collections*, National Business Institute, 1990

Client Alerts And Blog Posts

- Merchant Class-Action Alert: Beware the Collection of ZIP Codes
February 25, 2011

In The News

- St. Louis Business Journal Features First Subchapter V Case in the Eastern District of Missouri, Led by Wendi Alper-Pressman
March 24, 2021
- St. Louis Business Journal Quotes Wendi Alper-Pressman on Local Bankruptcy Conditions
November 30, 2020
- Wendi Alper-Pressman Profiled in St. Louis Business Journal as a 2018 Influential Business Woman
August 10, 2018
- Lathrop Gage Featured in Three-Part Series on LPM Initiatives
November 21, 2017
- St. Louis SBM: Wendi Alper-Pressman Named "Wonder Woman"
May 9, 2016
- Sacramento Business Journal: Wendi Alper-Pressman Joins Lathrop Gage as Member in Clayton Office
November 28, 2008

News Releases

- Missouri & Kansas Super Lawyers Recognizes 34 Lathrop GPM Attorneys
November 16, 2020
- Lathrop GPM Partners Receive Missouri Lawyers Media Up & Coming and Mentor Awards
August 25, 2020
- Lathrop GPM Attorneys Named to The Best Lawyers in America®, Lawyer of the Year, and Ones to Watch for 2021
August 20, 2020
- Two Lathrop GPM Partners Named 2020 Leading U.S. Bankruptcy & Restructuring Lawyers

August 10, 2020

- Missouri & Kansas Super Lawyers Recognizes 42 Lathrop Gage Attorneys
November 13, 2019
- Best Lawyers in America 2020 Names 72 Lathrop Gage Attorneys; 13 Lawyers of the Year
August 15, 2019
- Super Lawyers Recognizes 48 Lathrop Gage Attorneys in Missouri and Kansas
November 14, 2018
- Best Lawyers in America Recognizes 70 Lathrop Gage Attorneys
August 15, 2018
- Wendi Alper-Pressman Receives St. Louis Business Journal Most Influential Business Women Award
August 10, 2018
- Super Lawyers Recognizes 58 Attorneys from Lathrop Gage in Missouri and Kansas
November 9, 2017
- Best Lawyers in America Recognizes 78 Lathrop Gage Attorneys
August 15, 2017
- Super Lawyers Recognizes 71 Lathrop Gage Attorneys
October 14, 2013
- 75 Lathrop Gage Attorneys Named Missouri & Kansas Super Lawyers
October 15, 2012
- Repertory Theatre of St. Louis Names Wendi Alper-Pressman to Board of Directors
September 23, 2009
- Wendi Alper-Pressman Joins Lathrop Gage as a Member
November 17, 2008

Professional Affiliations

- American Bankruptcy Institute, Member
- International Women's Insolvency and Restructuring Confederation, Member
- Missouri Bar Association, Financial Services Committee, Inaugural Chair, 2015
- Risk Management Association, Board of Directors, 2008-present; President, 2015

Community Involvement

- Repertory Theatre of St. Louis, Board of Directors, 2008-2016; 2017-present; Leading Ladies Committee; Nominating Committee, Chair, 2010
- Pedal the Cause, Team Co-Captain, 2015-present

Honors

- Up & Coming Award Mentor, Missouri Lawyers Media, 2020
- "500 Leading U.S. Bankruptcy & Restructuring Lawyers," Lawdragon, 2020
- *The Best Lawyers in America*®, 2018 - 2021
- *St. Louis Business Journal*, "Influential Business Women," 2018
- *Missouri & Kansas Super Lawyers*, 2012 - 2018; "Top 50 Women in Missouri & Kansas," 2015 - 2016; "Top 50 in St. Louis," 2016
- Martindale-Hubbell® "AV" Rating