



ST. CLOUD

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PRACTICE AREAS

Commercial Lending
Financial Services
Litigation & Dispute Resolution
Bankruptcy Litigation
Real Estate Litigation &
Disputes
Community Banking
Complex Financial Litigation

COURT MEMBERSHIPS

- Minnesota
- North Dakota

Andrew J. Steil

Partner | andrew.steil@lathropgpm.com

Andrew's practice focuses on representing lenders and he has been lead counsel in numerous bank litigations, lien litigations, mechanic's lien litigations, workouts, receiverships, foreclosures, replevins, business liquidations, lender liability cases, loan transactions, loan documentation and structure issues, bankruptcy litigation, mortgage and title insurance litigation, large collection actions, and agricultural workouts and litigations. Additionally, he represents many banks as outside general counsel, handling all of their legal issues.

Andrew is the former president of the Stearns/Benton Bar Association and served on several nonprofit boards of directors - including the Minnesota Real Estate Foundation and as the president of the board of Catholic Charities for the Diocese of St. Cloud. He was named an Up & Coming Attorney by Minnesota Lawyer and has been named a Minnesota Rising Star by Thomson Reuters every year since 2013.

Representative Experience

- Represented lenders in multiple agricultural workouts, foreclosures, replevins, and related litigation in both Minnesota and North Dakota
- Represented lenders in multiple workout, litigation, foreclosure, replevins, and liquidation of manufacturing facilities
- Represented lenders in multiple workout, litigation, foreclosure, replevins, and liquidation of agricultural operations, including dairy and large crop farmers
- Represented lenders in multiple workout, litigation, foreclosure, replevins, and liquidation of restaurants and other related entertainment venues



- U.S. District Court for the District of Colorado
- U.S. District Court for the District of Minnesota
- U.S. District Court for the District of North Dakota

EDUCATION

William Mitchell College of Law,
J.D.

Minnesota State University,
Mankato, B.S.

- Represented lenders in multiple workout, litigation, foreclosure, replevins, and liquidation of hotels, golf courses, gas stations, apartment complexes, technology, retail space, and other commercial real estate
- Represented lenders in multiple chapter 11 and chapter 12 bankruptcies and adversary proceedings
- Represented lenders in multiple cases as lead counsel in drafting loan documents at origination and modifications
- Represented lenders in as lead counsel in large, complex participations
- Represented lenders in multiple cases in title and other related real estate issues
- Represented lender in successfully dismissing claim of predatory lending related to contract for deeds
- Represented lender in multiple receiverships and assignments for the benefit of creditors, including related operational oversight, litigation, and resale as going concern or liquidations
- Represented lender in successfully dismissing borrowers' marshalling claim
- Represented lead lender in multimillion dollar restaurant and convention center loan participation litigation, including the subsequent foreclosure and collection
- Represented CDC in litigation against 504 guarantors
- Represented multiple lenders in defending borrower or guarantor claims alleging verbal modification or estoppel
- Represented material supplier in successfully preventing discharge of client's half million dollar debt in bankruptcy in a mortgage fraud case against a principal of the debtor and revoking the discharge of another principal of the debtor
- Represented receiver in bankruptcy nondischargeability lawsuit against debtor accused of embezzling from a failed bank
- Represented bank in obtaining summary judgment against an account debtor, a large road construction company, by defeating its defenses of unmaturing and contractual setoff
- Representing bank in suing and subsequently liquidating several SBA 7a loans to franchisee restaurant operators
- Represented debt buyer in dismissing debtor's FDCPA lawsuit based upon a statute of limitations violation

- Represented bank in multimillion dollar loan foreclosure by action and subsequent workout against northern Minnesota restaurant
- Represented bank in successfully foreclosing and reselling of gas station property containing underground storage tanks
- Representing bank in multimillion dollar loan foreclosure and litigation by action secured by a self-sustaining ecofriendly facility in northern Minnesota
- Representing bank in replevin action and subsequent controlled sale of well drilling rigs
- Represented bank in litigating and successfully settling with a large mortgage originator over an incorrectly completed real property subordination agreement
- Represented bank in obtaining summary judgment against borrower by relying upon FIRREA and D'Oench Duhme doctrine preventing admissibility of verbal and undocumented statements or agreements made by a failed bank on a loan purchased from the FDIC following a bank failure
- Represented bank in successful summary judgment against borrowers that sued bank alleging they were charged attorneys' fees by the bank before a jury determined the reasonableness of such fees
- Represented bank in successful summary judgment against non-owner spouse invalidating an affidavit of postponement filed to delay a sheriff's sale
- Represented bank in successful summary judgment against borrowers that were alleging prior promises to forebear and modify a loan

Events

- "10 Things Every Banker Should Know," Gray Plant Mooty Banking Seminar
May 15, 2018
- "Workout Process," Gray Plant Mooty Banking Seminar
May 15, 2018
- 2015 Lending Seminar
May 19, 2015
- "Case Law Update," Gray Plant Mooty Lending Seminar
May 19, 2015
- "Post Judgment Execution," Judgment Enforcement In Minnesota, Lorman Educational Services

February 2014

- “Representing Creditors in Adversary Proceedings,” “Special Rights in Particular Property,” and “The Automatic Stay,” Creditors’ Rights During Bankruptcy, National Business Institute

July 2013

- “Ensuring Compliance with the FDCPA,” “Averting Potential Ethical Problems in Collections,” and “Handling Post-Judgment Legal Concerns,” Collection Law Tips and Strategies, National Business Institute

February 2013

- “Representing Creditors in Adversary Proceedings,” “Automatic Stay,” and “Special Rights of Creditors,” Creditors Rights During Bankruptcy, National Business Institute

November 2012

- “Real Estate Transactions Gone Bad,” National Business Institute

April 2012

- “Foreclosures, Short Sales and Loan Modifications: Compliance Update,” National Business Institute

December 2011

- “Tips and Traps in Farmer/Lender Mediation,” Debtor/Creditor Section, Hennepin County Bar Association

October 19, 2011

- “Farmer/Lender Mediation,” The Debtor/Creditor Conference, Minnesota CLE

October 11, 2011

- “Environmental Issues in Foreclosure & Death Issues in Foreclosure,” Ancillary Issues of Foreclosure, National Business Institute

July 2011

- “Post Judgment Execution,” Judgment Enforcement, Lorman Education Services

April 13, 2011

- “Post Judgment Execution,” Judgment Enforcement, Lorman Education Services

April 13, 2010

- “Fair Debt Collections Practices Act,” Skip Tracing in Minnesota, National Business Institute

June 2007

Presentations

- Co-presenter, "A Look at the Hospitality Industry," Turnaround Management Association Minnesota, February 16, 2021
- Co-presenter, "Community Bankers Town Hall Meeting - New SBA Lending Programs," ICBM, April 7, 2020

Publications

- Author, *Bank Guidance for Executive Order 20-50 on Garnishments*, ICBM.org, May 7, 2020
- Author, *Ag Foreclosures and Collection Issues*, Minnesota Bankers Association News, May 2018
- Author, *The Corporate Veil: Are you shielded from your company's liability?* ROI Central Minnesota, July 2011
- Author, *Proper Steps Before Reselling, Destroying Others' Property*, ROI Central Minnesota, January 2011
- Author, *Security Interest is Vital When Selling on Credit*, ROI Central Minnesota, October 2010
- Author, *Sued for Receiving Payment*, On The Level, August 2010
- Author, *Contracts Are Critical*, ROI Central Minnesota, July 2010
- Author, *Failing to Pay Taxes Can Destroy A Business*, ROI Central Minnesota, April 2010
- Author, *Could Your Company Be At Risk If It Gets Paid?* ROI Central Minnesota, April 2010
- Author, *Weigh Options Before Filing for Bankruptcy*, ROI Central Minnesota, January 2010
- Author, *Assigning a Seller's Interest in a Contract for Deed*, Minnesota Bankers Association News, July 2009
- Author, *Trouble Collecting Payments? Use Third Party*, ROI Central Minnesota, July 2009
- Author, *Making Sure You Get Paid*, ROI Central Minnesota, April 2009

Client Alerts And Blog Posts

- Financial Services Update: Amendments to Farmer-Lender Mediation Act
May 31, 2017
- Financial Services Update: Implications of Minnesota Court of Appeals' Ruling on Security Interest Priority

April 13, 2017

- Financial Services Update: Does Your Website Need To Be ADA Compliant?
November 8, 2016

In The News

- ICBM Features Article by Andrew Steil on Halt of Consumer Debt Garnishment in MN
May 7, 2020
- "Sewer Snafu Creates A Mess For Mulberry Property Owners," St. Cloud Times
December 20, 2013

News Releases

- Lathrop GPM Attorneys Named 2020 Minnesota Super Lawyers and Rising Stars
July 21, 2020
- Gray Plant Mooty Attorneys Named 2019 Minnesota Super Lawyers and Rising Stars
July 5, 2019
- Gray Plant Mooty Attorneys Named 2018 Minnesota Super Lawyers and Rising Stars
July 5, 2018
- 43 Gray Plant Mooty Lawyers Named 2017 Minnesota Super Lawyers and Rising Stars
July 5, 2017
- 40 Gray Plant Mooty Lawyers Named 2016 Minnesota Super Lawyers and Rising Stars
July 5, 2016
- 38 Gray Plant Mooty Lawyers Named 2015 Minnesota Super Lawyers and Rising Stars
July 09, 2015
- 40 Gray Plant Mooty Lawyers Named 2014 Minnesota "Super Lawyers" and "Rising Stars"
July 7, 2014
- Loren Hansen and Andrew Steil Named 2014 Minnesota Lawyer Up & Coming Attorneys
July 7, 2014
- Gray Plant Mooty Elects Four New Shareholders 2014
January 3, 2014

- Andrew Steil Joins Gray Plant Mooty
August 4, 2011

Professional Affiliations

- Commercial Law League of America
- Catholic Charities for the Diocese of St. Cloud, Board of Directors
- Independent Community Bankers of Minnesota, Legislative Committee
- John E. Simonett Inns of Court
- Minnesota Real Estate Foundation, Board of Directors, 2012
- Minnesota State Bar Association, Bankruptcy Section
- Stearns/Benton Bar Association, President, 2011

Community Involvement

- Catholic Charities of the Diocese of Saint Cloud, Minnesota, Board of Directors
- MSBA High School Mock Trial Advisory Committee
- St. Cloud Area Chamber Leadership Program
- St. Cloud Rotary, Board of Directors
- United Way of Central Minnesota

Honors

- "Minnesota Rising Star," Thomson Reuters, 2013-2020
- "Great Plains Rising Star," Thomson Reuters, 2016-2020
- "Up & Coming Attorney," *Minnesota Lawyer*, 2014