



Stephen J. Kottmeier

Senior Counsel

San Jose

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Stephen Kottmeier has practiced commercial litigation for over forty years including extensive complex civil litigation in federal, state and bankruptcy courts, and other proceedings.

Steve is regularly involved in representing creditors in enforcement and defense matters regarding:

- Evaluating and effecting civil enforcement proceedings
- Prejudgment actions to recover assets or impose liens
- Resolution of disputes under Articles 3 and 4
- Forbearance and restructure agreements
- Creditor rights and actions in bankruptcy
- Judicial and non-judicial foreclosure of real and personal collateral

In 2011, Steve was selected to join the Northern District Bankruptcy Court Bench-Bar Liaison Committee, which allowed him to work with the District's Bankruptcy Judges and other selected practitioners to evaluate the Court's procedure and how they may be improved. Steve has been recognized by Best Lawyers® for Commercial Litigation every year since 2006.

Areas of Focus

Services

Financial Services

Litigation

Financial Services Litigation

Financial Services Litigation

General Business & Complex

Commercial Litigation

Workout & Restructuring

Bankruptcy, Restructuring &

Creditors' Rights

Receiverships

Secured Creditor

Representation

Sectors

Financial Institutions

Experience

- Represented a bank involving claims by various victims of a \$60 million Ponzi scheme by one of the bank's customers. The client prevailed on summary procedures and demurrers in all matters, including affirmation on appeal.

- Represented a regional bank in a series of foreclosure and asset sales resulting from borrowers default on multiple loans. Client received multi-million dollar recovery and ultimately will have forgiven only a relatively small amount of the debt.
 - Represented a regional bank after a borrower defaulted on a \$20 million construction loan with the project 75 percent complete. Negotiated short sale of project after completion and stipulation for judgment against the guarantors avoiding a law suit.
 - Obtained a complete defense award for a global technology company in claim by an Eastern European distributor for failure to reimburse it for local taxes.
 - Obtained a defense verdict in a four week jury trial on behalf of a financial institution which was sued by two individuals for alleged defamation and interference with contracts.
 - Effected resolution of multiple technology based loans to achieve repayment through Article 9 dispositions, assignee for benefit of creditor proceedings, loan sales and other out of court procedures.
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Credentials

Education

- University of California - Hastings, J.D.
- University of California - Santa Barbara, B.A., Economics

Bar Admissions

- California (1977)

Court Admissions

- All California State Courts
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Sixth Circuit
- U.S. District Court for the Eastern District of California
- U.S. District Court for the Central District of California
- U.S. District Court for the Northern District of California
- U.S. District Court for the Southern District of California
- U.S. District Court for the Eastern District of Texas
- U.S. Supreme Court

Recognition

- Selected among *The Best Lawyers in America*®, Commercial Litigation, 2006-2025
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Presentations

- Stephen has presented lectures to the following organizations:
 - National Business Institute
 - Sterling Education Services
 - State Bar of California
 - William Ingram Inn of the American Inns of Court
 - Santa Clara County Bar Association
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Professional Activities

- Santa Clara County Superior Court, Judge Pro Tem
- United States Bankruptcy Court, Northern District of California
 - Bench Bar Committee, 2011-2014 (Co-chair, 2013-2014)
- William F. Ingram Inn of American Inns of Court
- Santa Clara County Bar Association

Community Involvement

- City of San Jose Mayor's Arts 20/20 Task Force, Chair
- City of San Jose, Public Art Master Plan, Steering Committee Member
- Episcopal Diocese of El Camino Real, California, Chancellor, 2018 to present
- YMCA Silicon Valley, Board of Directors and Executive Committee, Member, 2005-2013
- Silicon Valley Arts Council, Member, 2001-2007
 - Member of the Board of Trustees, President of the Board, 2004-2005
- Andrew's Episcopal School, Saratoga, California, Board Member, 1996-2002, 2007-2010 and 2015-2016
 - President of Board, 2000-2002

- San Jose Fine Arts Commission, Member, 1982-1990
 - Chairman, 1985-1987
- Goodwill Industries of Santa Clara County, Inc., Member, 1978-2000, Chairman for two years