



BASSFORD REMELE

Jeffrey D. Klobucar
SHAREHOLDER



jklobucar@bassford.com
T 612.376.1639
F 612.746.1239

PRACTICE GROUPS

Bankruptcy/Creditors' Remedies
Class Action/Multidistrict Litigation
Commercial Litigation

INDUSTRY GROUPS

Credit and Collection
Financial Services

OVERVIEW

Mr. Klobucar is a commercial litigator having experience in all aspects of complex litigation in both state and federal court matters.

Mr. Klobucar regularly represents commercial creditors in bankruptcy cases, as well as other federal and state court litigation and appellate matters. He routinely handles cases involving the enforcement of contract rights, including security agreements and commercial leases involving both real estate and personal property. He also pursues commercial post-judgment collection matters, including enforcement of judgment liens and guaranties, commercial garnishment actions, and determinations of non-dischargeability in bankruptcy court. Mr. Klobucar is a commercial litigator dedicated to protecting the rights of commercial creditors in bankruptcy and other federal and state court matters. Additionally, he has significant class-action and multi-district litigation experience.

Mr. Klobucar is a graduate of University of St. Thomas School of Law, where he served as an adjunct professor for five years. He serves on the Minnesota State Bar Association Legislative Committee and is Chair of its Bankruptcy Section.

EDUCATION & ADMISSIONS

Education

University of St. Thomas School of Law, J.D., 2008
University of Minnesota, B.A., 2005

Bar Admissions

- U.S. Court of Appeals, Eighth Circuit
- U.S. District Court, District of Colorado
- U.S. District Court, District of Minnesota
- U.S. District Court, Northern District of Illinois
- U.S. District Court, Western District of Wisconsin
- Minnesota
- Wisconsin

EXPERIENCE :

Representative Cases

- Currently a member of the co-lead counsel team for the Minnesota individual plaintiffs in the Syngenta Litigation – a multi-jurisdictional complex litigation involving more than 68,000 claims in Minnesota state court, as well as numerous claims venued in the U.S. District Courts for the Districts of Kansas and Illinois. *See In re: Syngenta Litig.*, 27-CV-15-3785 (Minn. Dist. Ct. 2015) (venued in Hennepin County, Minnesota); *In re: Syngenta AG MIR 162 Corn Litig.*, 2:14-md-02591-JWL-JPO (D. Kan.). All the Syngenta cases were recently resolved as part of a preliminarily-approved global settlement class resulting in a settlement amount of \$1.5 billion. Mr. Klobucar is also part of the Minnesota leadership auditing committee with respect to fee applications to the court as part of the Syngenta settlement approval process.

Jeffrey D. Klobucar

SHAREHOLDER

continued

- Currently serving as liaison counsel for the plaintiffs in the high-profile NHL Concussion Litigation, a Multi-District Litigation currently venued in the U.S. District Court for the District of Minnesota. Plaintiffs have raised individual and class claims on behalf of a putative class of 5,000 retired NHL players, alleging harm in the form of an increased risk of long-term neurocognitive diseases and disorders resulting from the league's failure to warn players of the risk of repeated head trauma. *See In re: National Hockey League Players' Concussion Injury Litig.*, 0:14-mn-02551-SRN-BRT (D. Minn.).
- Appointed as counsel for the Official Committee of Unsecured Creditors. *In re: Rancher's Legacy Meat Company*, Bky. No. 19-32928 (Bankr. D. Minn.).
- Appointed as counsel for the Official Committee of Unsecured Credits. *In re: Millerbernd Systems, Inc.*, Bky. No. 18-41286 (Bankr. D. Minn.).
- Currently representing multiple consignment creditors in a jointly-administered retail distribution Chapter 11 bankruptcy case involving seven separate distribution entities across the U.S. and Canada. *In re: WYNIT Distribution, LLC*, Bky. No. 17-42726 (Bankr. D. Minn.).
- Representing an insurer in bankruptcy proceedings and related coverage adversary proceedings filed by various diocesan corporations in Minnesota. *In re: Archdiocese of St. Paul and Minneapolis*, Bky. No. 15-30125 (Bankr. D. Minn.); *In re: Diocese of Duluth*, Bky. No. 15-50792 (Bankr. D. Minn.); *In re: The Diocese of New Ulm*, Bky. No. 17-30601 (Bankr. D. Minn.).
- Representing a national software and computer equipment lessor in a big-box retail bankruptcy proceeding. *In re: Gander Mountain Co.*, No. 17-30673 (Bankr. D. Minn.).
- Representing an advertising service creditor in a big-box retail bankruptcy proceeding. *In re: Gander Mountain Co.*, No. 17-30673 (Bankr. D. Minn.).
- Representing an owner/landlord of commercial real property leased to a debtor in a big-box retail bankruptcy proceeding. *In re: Gander Mountain Co.*, No. 17-30673 (Bankr. D. Minn.).
- Currently representing owner/landlord of commercial real property leased to a debtor in a corporate chapter 7 proceeding. *In re: RF Beardsley Services, LLC*, Bky. No. 18-41667 (Bankr. D. Minn.)
- Representing a secured creditor in a Chapter 11 bankruptcy proceeding related to the reorganization of an asphalt company. *In re: Midwest Asphalt Corp.*, Bky No. 17-40075 (Bankr. D. Minn.).
- Represented an owner/landlord of commercial real property leased to a debtor in a corporate Chapter 7 proceeding. *In re: Speec, Inc.*, Bky. No. 16-32822 (Bankr. D. Minn. 2017).
- Represented a Chapter 7 trustee and affiliated intellectual property purchaser and obtained a favorable settlement in an adversary proceeding against multiple parties. *DataWave Int'l, LLC, et al. v. Bluesource, Inc., et al.*, Adv. No. 13-3158 (Bankr. D. Minn. 2017).
- Part of team that represented a Minnesota mortgage origination company in litigation regarding a contract dispute with the liquidating trustee. *Residential Funding Co., LLC v. Rescue Mortg., Inc.*, Case No. 14-CV-1740 (D. Minn. 2016).
- Represented a secured creditor and obtained a determination of non-dischargeability in an action against a debtor based on claims for fraud. *Venture Group Enters., Inc. v. Shatto*, Adv. No. 1-15-00063-CJF (Bankr. W.D. Wis. 2016).
- Represented large national bank in federal litigation regarding defense of mortgage foreclosure, obtaining summary judgment. *Marchetti v. U.S. Bank, N.A.*, 2015 WL 1038382 (D. Minn. Mar. 10, 2015).

Jeffrey D. Klobucar

SHAREHOLDER

continued

- Represented a judgment creditor and obtained a determination of non-dischargeability in an action against a debtor related to claims for intentional tortious conduct. *Ludwig v. Graw*, Adv. No. 14-4245 (Bankr. D. Minn. 2015).
- Represented a creditor and obtained a stipulated determination of non-dischargeability in an action against a debtor for claims of fraud. *Campbell v. Kittelsen*, Adv. No. 15-3011 (Bankr. D. Minn. 2015).
- Represented large national lender in dual related litigation matters regarding mortgage foreclosure, obtaining summary judgment and dismissal of all adverse claims. *Fannie Mae v. Mondragon*, 2014 U.S. Dist. LEXIS 4541 (D. Minn. 2014); *Mondragon v. Fannie Mae*, 2014 U.S. Dist. LEXIS 4537 (D. Minn. 2014).
- Served on the law and briefing committee as part of the leadership team in the Imprelis Herbicide Liability Litigation, venued in the Eastern District of Pennsylvania, in which Plaintiffs obtained a multi-million dollar settlement on behalf of a nationwide class. *See In re: Imprelis Herbicide Marketing, Sales Practices and Products Liability Litig.*, 2:11-md-02284-GEKP (E.D. Pa. 2012).
- Represented commercial trucking company in contract litigation, obtaining trial verdict in favor of client for the full measure of damages permitted under the contract. *Admiral Merchants Motor Freight v. Wis. Dispatch, Inc.*, No. 27-CV-11-14173, 2012 LEXIS 197 (D. Minn. 2012).
- Part of team who represented commercial equipment lender, obtaining dismissal of claims on its behalf and successfully defending dismissal at Minnesota Court of Appeals. *Illisaca v. Idrovo*, 2011 Minn. App. Unpub. LEXIS 728, (Minn. App. 2011).

Publications

- *Bankruptcy Bulletin*, co-editor in chief, Minnesota State Bar Association, 2018-2019; editor, 2015-2018
- *Statutory Liens and Other Special Rights of Creditors*, co-author, Minnesota CLE Debtor-Creditor Law Handbook, Ch. 16, co-author, 2018-2021
- *The Rise and Fall of the Ponzi Scheme Presumption*, co-author, Bench & Bar of Minnesota, Jan. 2018

Seminars

- *NOTICE! Issues Relating to Notice in Bankruptcy Court*, presenter, Bankruptcy Section, Minnesota State Bar Association, February 15, 2018

PROFESSIONAL & CIVIC

Bar Associations

- Minnesota State Bar Association
 - Legislative Committee, 2021-present
 - Bankruptcy Section
 - Chair, 2021-present
 - Secretary, 2020-2021
 - Treasurer, 2019-2020
 - Institute Planning Committee, Chair, 2021
- State Bar of Wisconsin
- Hennepin County Bar Association

Jeffrey D. Klobucar

SHAREHOLDER

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Professional Associations

- American Bankruptcy Institute
- Minnesota Defense Lawyers Association
- The Risk Management Association

Civic Involvement

- University of St. Thomas School of Law, Adjunct Professor, 2008-2013
- Volunteer Lawyers Network, 2014-present

ACCOLADES

Honors & Awards

- Attorney of the Year, as part of the Syngenta Legal Team, *Minnesota Lawyer*, 2017
- Rated AV Preeminent® by Martindale-Hubbell®
- Minnesota Super Lawyers List, *Super Lawyers*, 2019-present
- Minnesota Rising Stars List, *Super Lawyers*, 2014-2018