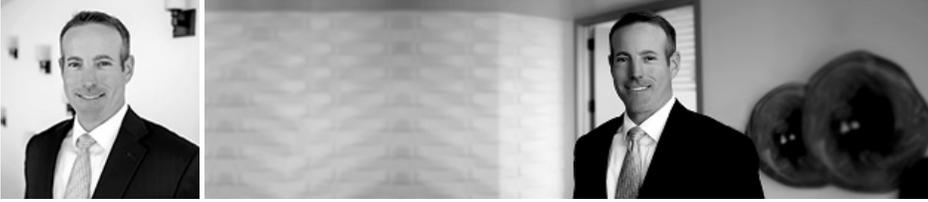




SpencerFane®

## Rodney H. (Rod) Nichols



T 417.888.1023

F 417.881.8035

[nichols@spencerfane.com](mailto:nichols@spencerfane.com)

• [Springfield](#)

### BIOGRAPHY

Rodney Nichols is a Partner in the firm's Banking and Financial Services group and assists lenders with structuring, documenting and enforcing complex commercial and real estate loans of all types. With more than 20 years of experience, Rodney is able to help lenders and businesses alike navigate the intricate nature of commercial and real estate financing, including debt restructuring, workouts and reorganizations both inside and outside of bankruptcy. In addition to handling all aspects of commercial and real estate lending, Rodney also assists financial institutions with various aspects of general banking and deposit operations, and received national attention for successfully defending – in federal court- a financial institution whose online banking security systems were challenged following a fraudulent wire transfer. This was the first reported case in the United States where the financial institution prevailed in establishing the soundness of its online banking security under the Uniform Commercial Code.

Rodney is the former chairman and vice chairman of the Bank Counsel Section of the Missouri Bankers Association and remains a member of its Advisory Board. Having this leadership experience and knowledge of the industry, he regularly speaks on current legal issues and trends that impact financial institutions.

Apart from financial services, Rodney handles commercial and real estate litigation, including appeals, in both state and federal courts. Having handled litigation involving contracts, construction, real estate and trust disputes, Rodney's experience in court is wide-ranging and helps him better assist clients in the early stages of transactions to avoid litigation down the road or to better protect the client's interest should disputes arise. Rodney served as an appointed member of the Federal Practice Committee for the United States District Court for the Western District of Missouri and is a former chairman of the Springfield Metropolitan Bar Association's Federal Bench and Bar Committee as well as its Commercial Law and Insolvency Committee.

Highlights of Rodney's experience include:

- Represented primary construction lender on \$93 million dollar hotel and convention center construction project in large mixed-use development
- Represented primary construction lender on \$36 million dollar senior living and care facility development
- Represented primary construction lender on \$30 million dollar senior living and care facility development
- Represented primary construction lender on \$22 million dollar senior living and care facility development
- Successfully defended financial institution and its subsidiary against claims involving their real estate foreclosure practices and procedures by obtaining summary judgment and avoiding trial
- Successfully represented beneficiaries of a trust, at trial level and on appeal, in litigation against its trustee

### PRACTICE AREAS

- [Banking and Financial Services](#)
- [Bankruptcy, Restructuring, and Creditors' Rights](#)
- [Corporate and Business Transactions](#)
- [Real Estate Litigation](#)
- [Commercial Sales Litigation](#)
- [Real Estate Finance and Workouts](#)
- [Real Estate](#)
- [Creditors' Rights, Loan Enforcement, and Creditor Bankruptcy](#)

### INDUSTRIES

- [Financial](#)

### EDUCATION

- University of Tulsa College of Law, 1996 (J.D.)
- Missouri State University, 1992 (B.A.)

### BAR ADMISSIONS

- Missouri

### COURT ADMISSIONS

- U.S. District Court for the Western District of Missouri
- U.S. District Court for the Eastern District of Missouri
- U.S. Court of Appeals for the Eighth Circuit

arising from mishandling of trust assets

- Successfully represented corporation, at trial level and on appeal, in enforcing restrictive covenants against former officer and sales representative, obtaining injunctive relief and monetary damages for breach of contract and misappropriation of computer data

## COMMUNITY INVOLVEMENT

- Board member, Good Samaritan Boys Ranch
- Past Chairman of the Board for Developmental Center of the Ozarks
- Past member of the Springfield/Greene County Library Board of Trustees
- Past member of City of Springfield Jordan Valley Park Tax Abatement and Tax Increment Financing Commission
- Past Board member of Ozark Greenways
- Past Board member of James River Basin Partnership

## MEMBERSHIPS

- Springfield Metropolitan Bar Association
- American Bar Association
- Missouri Bar Association
- Missouri Bankers Association
- American Bankruptcy Institute

## DISTINCTIONS

- *Missouri & Kansas Super Lawyers*<sup>®</sup>, Banking (2013-2017)
- *Missouri Rising Stars*<sup>®</sup>, Banking (2008-2009)
- *Springfield Business Journal*, "40 Under 40" (2003)

Contact Rod Nichols at 417.888.1023 or [rnichols@spencerfane.com](mailto:rnichols@spencerfane.com).