



SpencerFane®

## Zachary (Zach) Fairlie

Partner

### Contact

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## Overview

**Zach represents clients in complex corporate reorganizations and distressed asset sales in court-supervised processes and out-of-court restructurings – principally those involving balance sheet, environmental, labor, and mass tort litigation issues throughout a wide variety of industries, including agriculture, alternative investments, construction, energy, health care, hospitality, manufacturing, telecommunications, and transportation.**

Zach also has extensive experience advising various fiduciaries, from indenture trustees to receivers, in all stages of restructurings and insolvency matters, including the prosecution and defense of complex financial services litigation claims, including fraudulent transfers, breach of fiduciary duty, and disregarding corporate form claims.

## Education

- University of Iowa College of Law (J.D.)
- University of Northern Iowa (B.A.)

## Bar Admissions

- Missouri

## Court Admissions

- U.S. District Court for the District of Kansas
- U.S. District Court for the Eastern District of Missouri
- U.S. District Court for the Western District of Missouri
- U.S. District Court for the District of Colorado
- U.S. Court of Appeals for the Tenth Circuit
- U.S. Court of Appeals for the Eighth Circuit
- U.S. Court of Appeals for the First Circuit

## Community Involvement

- Big Brothers Big Sisters of Greater Kansas City, Volunteer

## Distinctions

- *M&A Advisor*, 19th Annual Turnaround Awards, Distressed M&A Deal of the Year (\$25MM to \$50MM)
- *M&A Advisor*, 18th Annual Turnaround Awards, Healthcare/Life Sciences Deal of the Year (Under \$100MM)
- *M&A Advisor*, 23rd Annual M&A Advisor Awards, Energy Deal of the Year (under \$75MM)
- *Best Lawyers in America*, Ones to Watch, 2023-2026
- *Missouri Lawyers Media*, Up & Coming Award, 2024
- *Missouri & Kansas Super Lawyers*, Rising Star, Bankruptcy: Business, 2023-2024
- American Bankruptcy Institute, Medal of Excellence
- Ross T. Roberts Trial Academy, Graduate, Kansas City, Missouri

## Memberships

- National Conference of Bankruptcy Judges Conference NextGen Program, Committee Member, 2022-2025
- Commercial Receiver's Association, Banking Outreach Committee Member, 2024-2025
- American Bankruptcy Institute

## Presentations and Publications

- "What to Include in a Receiver's Report to Court," Commercial Receivers Association Conference, August 2024
- "[Interest Rate Pressure and Risk Of Defaults Dictates Review Of Collateral And Loan Documents](#)," *The Show-Me Banker*, February 2024
- "Notice Jeopardy," Topeka Area Bankruptcy Council CLE, July 2016
- "Eat and Greet Educational Program," U.S. Bankruptcy Court for the Western District of Missouri CLE, April 2016
- "The Intersection of Foreclosure and Bankruptcy," Missouri Creditors Bar CLE, December 2015
- "Witness Examination Tips and Techniques: Direct and Cross Examination of Fact and Expert Witnesses," Kansas City Bankruptcy Bar Association CLE, November 2015
- "Motions to Extend the Stay: Coming to a Casino – or a Chapter 13 – Somewhere Near You?" the NACTT Academy for Consumer Education, April 10 and 17, 2016
- "Economic Development Strategy: The Creative Capital Theory," 14 MAJOR THEMES IN ECON. 1, 2012

## Related Experience

### Bond Trustee

- *In re Legacy Cares*, Case No. 2:23-bk-02832-DPC (Bank. D. Ariz.)
- *UMB Bank, N.A. v. Zona Rosa Development, LLC, et al.*, Case No. 22AE-CC00201 (Platte County, Missouri)
- *In re Park View School, Inc.*, Case No. 3:22-bk-04720-DPC (Bank. D. Ariz.)
- *In re Kansas City United Methodist Retirement Home, Inc.*, Case No. 21-41049 (Bankr. WDMO)
- *In re John Q. Hammons Fall 2006, LLC*, Case No. 16-21142 (Bankr. D. Kan.)
- Represented bond trustee in renegotiation of \$5.4MM of revenue bonds financing a community hospital as part of out-of-court workout

## Secured Creditor

- *In re North Shore Associates, LLP*, Case No. 23-10808 (Bankr. D. Colo.)
- *Citizens Bank & Trust Co. v. Park Reserve, LLC*, Case No. 2116-CV11199 (Jackson County, Missouri)
- *In re B-40 Farms LLC*, Case No. 20-00110 (Bankr. NDIA)
- *In re Jim's Disposal Service, LLC*, Case No. 20-40050-btf11 (Bankr. WDMO)
- *UMB Bank N.A. v. Pahuja*, Case No. 3:19-cv-00739 (NDTX)
- *In re Rancher's Legacy Meat Co.*, Case No. 19-32928 (Bankr. D. Minn.)
- *UMB Bank, N.A. v. Parrot Properties, Inc., et al.*, Case No. 19CV02666 (Johnson County, Kansas)
- *Blue Ridge Bank and Trust v. Moon Ridge Foods, et al.*, Case No. 18PO-CC00048 (Polk County, Missouri)
- *Big Shoulders Capital III, LLC v. Henry Wurst, Inc.*, Case No. 1816-CV33060 (Jackson County, Missouri)
- *In re Pappyrdige Farms, LLC*, Case No. 18-71139-AKM-11 (Bankr. D. Ind.)

## Receiver and Trustee

- *Compeer Financial, FLCA vs. Element, LLC, et al.*, Case No. 2023-CV-000694 (Sedgwick County, Kansas)
- *Hawthorn Bank v. Midland Marble, Inc., et al.*, Case No. 2416-CV02729 (Jackson County, Missouri)
- *Enterprise Bank & Trust v. American Pasture Pork, LLC*, Case No. 24SL-CC00065 (St. Louis County, Missouri)
- *Patriots Bank v. Jonesburg Sawmill & Pallet Co., et al.*, Case No. 21WA-CC00250 (Washington County, Missouri)
- *In re Pixius Communications, LLC*, Case No. 19-11749 (Bankr. D. Kan.)
- *In re US Real Estate Equity Builder LLC*, Case No. 20-21358 (Bankr. D. Kan.)
- *Federal Trade Commission et al v. Next-Gen, Inc. et al.*, Case No. 4:18-cv-00128-DGK (WDMO)
- *In re Powell Valley Health Care, Inc.*, Case No. 16-20326 (Bankr. Wyoming)
- *Briar Meads SPV SVII, LLC v. NNN Gateway One, LLC et al.*, Case No. 1622-CC09767 (St. Louis County, Missouri)

## Debtor's Counsel

- *In re Allied Healthcare Products, Inc.*, Case No. 23-41607 (Bankr. EDMO)
- *In re Keystone Pizza Partners, LLC*, Case No. 20-20709 (Bankr. Kan.)
- *Valentina Capital, LLC*, Case No. 21-10319 (Bankr. WDTX)

## Clerk Experience

- Hon. Cynthia A. Norton, U.S. Bankruptcy Court for the Western District of Missouri
- Hon. Linda R. Reade, U.S. District Court for the Northern District of Iowa