

Brendan L. McPherson

SHAREHOLDER

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Brendan McPherson helps clients resolve complex real estate and commercial disputes efficiently and strategically. As Chair of Polsinelli's Real Estate Litigation Practice and Chair of the firm's Pro Bono Committee, Brendan draws on deep experience in real estate transactions, debtor-creditor matters and litigation to deliver practical solutions that align with his clients' business goals.

Brendan represents property owners, developers, lenders and investors in matters involving acquisitions, dispositions, leasing and financing, as well as in disputes arising from those transactions. He has successfully litigated multimillion-dollar claims in bankruptcy, federal and state courts, and regularly advises clients on minimizing risk in complex financial and real estate matters.

His experience includes:

- Resolving real estate disputes involving leasing, acquisitions, developments, condemnations, zoning and property losses
- Managing real estate transactions, including acquisitions, dispositions, leasing and financing
- Litigating bankruptcy-related claims, such as preferences and fraudulent transfers
- Handling business ownership disputes and financial issues, including successor liability, alter ego, joint venture and consumer protection act claims

Brendan's broad understanding of real estate, finance and litigation allows him to help clients navigate challenges from both transactional and dispute-resolution perspectives.

Education

- University of Kansas (J.D., 2007)
- Indiana University (B.S., 2005)
 - Real Estate Finance

Bar Admissions

- Missouri, 2008

Capabilities

- Real Estate
- Real Estate Litigation
- Commercial Litigation
- Litigation
- Mergers & Acquisitions Litigation

- Kansas, 2008

Memberships

- American Bankruptcy Institution (Former Co-Chair of Secured Credit and Young & New Members committees)
- The Missouri Bar
- Kansas City Metropolitan Bar Association (Former Chair of Public Relations and Public Service Committees of the Young Lawyers Section)
- Legal Aid of Western Missouri (Justice for All Campaign)
- Catholic Lawyers Guild of Kansas City (Executive Board)

Recognition

- Selected for inclusion in *Best Lawyers in America*® for Commercial Litigation, 2018-2023, 2026
- Named “Best of the Bar” by the *Kansas City Business Journal*, 2016
- Selected for inclusion in Missouri & Kansas *Super Lawyers*, 2013-2022
- Co-Chair of Polsinelli’s Pro Bono Office and coordinator for Polsinelli’s Adopt-A-Neighborhood pro bono partnership with the Key Coalition Neighborhood of Kansas City
- Missouri Lawyer Trust Account Foundation (Board of Directors and Chairman of Bank of American Committee)
- Charlie’s House (former Board Chairman)
- Kansas City Metropolitan Bar Association Leadership Academy (Class of 2010)

Matters

- Outside general counsel to a diverse group of companies in a range of industries including real estate, health clubs, insurance, hospitality and petroleum.
- Recovered more than \$7 million for the benefit of unsecured creditors of Interstate Bakeries Corporation (Hostess) by litigating 220 preference claims arising from its 2004 chapter 11 bankruptcy, including several bench trials and appeals.
- Defended numerous insurance agents, brokers, and carriers against millions of dollars of preference, fraudulent transfer, and related claims brought by the chapter 7 trustee of the Brooke Insurance estates (then the largest bankruptcy in the state of Kansas).
- Recovered millions of dollars in inverse condemnation claims on behalf of several clients.
- Represented numerous landlords and tenants in various disputes, including to judgment and settlement.
- Resolved a multimillion-dollar claim against a restructured petroleum company.
- Obtained bench trial judgment on behalf of manager of shopping center on business divorce and breach of fiduciary duty claims.
- Obtained a dismissal of a Fortune 1,000 financial services corporation on claims of successor liability and veil-piercing.
- Successfully resolved a claim of an industrial development authority in the chapter 11 bankruptcy of ASARCO.
- Recovered an \$853,000 judgment related to the breach of a real estate contract and subsequent fraudulent transfer actions.
- Negotiated a multi-tiered settlement between a real estate developer and silent

partner where the primary issue was whether a loan should be re-characterized to an equity investment.

- Obtained a dismissal of a Fortune 500 corporation related to claims of fraud and the Kansas Consumer Protection Act.
- Recovered property losses on behalf of two separate pro bono church clients.