

Lynn K. White

SHAREHOLDER

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Lynn White is committed to clients' bottom lines and works hard to balance their often competing needs. As a litigator with over 25 years of experience, she is a strong advocate both inside and outside of the courtroom, counseling clients in the areas of commercial loan enforcement, creditor/debtor relationships, bankruptcy, real estate litigation, and general commercial litigation. Lynn partners with clients to find solutions to complex problems, and she strives to understand her clients' business to help them achieve their ultimate goals.

She regularly represents clients nationally, including:

- Financial institutions, state and federal savings banks and community banks
- Securitized lenders
- Loan servicers
- Distressed debt purchasers
- Mortgage companies and brokers
- Property owners and managers
- Court-appointed receivers
- Small businesses

She is committed to clients, and they can count on her to deliver results. On behalf of her clients, Lynn has obtained judgments and settlements totaling millions of dollars in loan enforcement and asset recovery actions.

She has significant experience in all aspects of:

- State and federal court receiverships involving commercial (office and retail) and multi-family (student housing, senior living and low income) properties and including receivership issues in bankruptcy
- Loan workouts and enforcement
- Asset recovery, attachment, and replevin actions
- Power of sale and judicial foreclosures
- Problematic transactions involving Delaware Statutory Trusts
- Creditor representation in contested Chapter 7, 11, 13 bankruptcy cases
- Creditor's bill and collection proceedings

Capabilities

- Finance
- Financial Services Litigation
- Delaware Statutory Trusts
- Real Estate Litigation

- Fraud, misrepresentation and Uniform Fraudulent Transfer Act (UFTA) claims
- UCC Article 9 Sales
- Breach of contract actions
- Temporary restraining orders and preliminary and permanent injunctions
- Lender liability claims
- Quiet title and reformation actions
- Real estate and commercial landlord/tenant litigation
- Mechanics and real estate broker lien litigation
- Contempt proceedings

Llynn also has experience arguing before the Missouri Supreme Court (en banc), the Missouri Court of Appeals and the U.S. Court of Appeals for the Eighth Circuit and has represented lenders in connection with the Fair Debt Collection Practices Act (FDCPA), Equal Credit Opportunity Act (ECOA) and the Real Estate Settlement Procedures Act (RESPA).

Education

- Washington University in St. Louis (J.D., 1996)
- Creighton University (B.A., *summa cum laude*, 1993)

Bar Admissions

- Missouri, 1996
- Illinois, 2003

Court Admissions

- U.S. District Court, Eastern District of Missouri
- U.S. District Court, Western District of Missouri
- U.S. District Court, Southern District of Illinois
- U.S. Bankruptcy Court, Eastern District of Missouri
- U.S. Bankruptcy Court, Southern District of Illinois
- U.S. Court of Appeals, Eighth Circuit

Memberships

- The Missouri Bar
- Bar Association of Metropolitan St. Louis
- Missouri Banks Association, Bank & Legal Counsel Section
- The American Bar Association

Recognition

- Selected for inclusion in *Best Lawyers in America*® for:
 - Banking and Finance Law, 2026
 - Litigation - Bankruptcy, 2026
 - Financial Services Regulation Law, 2025-2026
 - Litigation - Real Estate, 2023-2026
 - Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law, 2022-2026
 - Mortgage Banking Foreclosure Law, 2022-2026

Matters

- Successfully represented special servicer of a \$45.4 million loan utilizing receivership proceedings to manage, operate, and ultimately sell a residential apartment complex with more than 1,300 units as an alternative to foreclosure, which resulted in full payoff to lender.
- Successfully utilized receivership proceedings on behalf of loan servicer to manage and operate a \$20 million office building owned by more than 30 tenants in common (“TIC”) owners pending foreclosure. On the eve of foreclosure, 15 of the TIC owners filed bankruptcy, and we successfully argued to keep the receiver in place allowing for monthly cash flow distributions to the lender pending a negotiated third party sale, which resulted in a full payoff to lender.
- Successfully represented special servicer of a \$90 million loan in negotiating and closing a deed in lieu of foreclosure transaction related to a retail shopping center.
- Successfully represented distressed debt purchaser with enforcement of loans to a radio station secured by its radio broadcast license and related assets, utilizing the threat of receivership proceedings to obtain a favorable settlement that resulted in full recovery of the sums due.
- Successfully completed a receivership and the foreclosure of the largest office building by square footage in the St. Louis region.
- Successfully defended lender against significant claims brought by guarantors for violation of the ECOA (Reg B) and for misrepresentation and breach of good faith and fair dealing for failing to disclose information concerning the borrower’s financial condition.
- Successfully defended secured lender, assignee of a failed bank under the FDIC, against claims by borrower that certain notes and deeds of trust were not properly assigned to lender, that there was no consideration for the assignment, and that the assignee failed to pay book value for the asset.
- Aggressively utilized the Illinois Credit Agreements Act to defeat various lender liability actions and class actions brought by borrowers.
- Represented a national manufacturing tenant in successfully delaying an unlawful detainer trial for more than 12 months, giving the tenant time to relocate on its own terms.
- Successfully argued against and defeated judgment debtors’ personal exemption claims under state and federal law and subsequently orchestrated one of the largest executions and liquidations of the debtors’ personal property in St. Louis County.