

Matthew S. Layfield

SHAREHOLDER

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Matt's experience and knowledge as a bankruptcy and financial services litigator and creditor rights litigator help clients quickly recover on debt instruments, trade debt or other obligations owed by both individuals and complex entities. His experience litigating creditor rights issues in bankruptcy and state and federal courtrooms provide clients the experience to attempt pre-litigation workouts to maximize recoveries while minimizing costs. He also routinely represents clients both in court and in transactions concerning the Electronic Funds Transfer Act (EFTA), Truth in Lending Act (TILA) and Real Estate Settlement Procedures Act (RESPA), among other consumer finance laws.

Matt represents financial institutions, individuals, and companies and ensures clients strike a balance between the competing needs of recovery of debt and out-of-pocket costs. Matt is determined and dogged in his efforts to assist clients with recovery. He has significant experience in:

- Commercial, agricultural, and individual loan enforcement litigation, including recovery of real and personal property serving as collateral
- Handling both complex Chapter 11 bankruptcy filings, as well as single-asset Chapter 11 cases
- Obtaining receiver appointments of multi-unit commercial and residential housing, distressed companies, and handling all varieties of commercial landlord tenant disputes

Education

- Saint Louis University School of Law (J.D., 2005)
- University of Iowa (B.A., 2002)
 - Economics
 - Dean's List; Philosophy/Ethics Certificate

Bar Admissions

- Missouri, 2005

Capabilities

- Bankruptcy & Restructuring
- Finance
- Financial Services Litigation
- Consumer Financial Services Litigation
- Telephone Consumer Protection Act Litigation (TCPA)
- Real Estate Litigation

Court Admissions

- U.S. District Court, Eastern District of Missouri
- U.S. District Court, Western District of Missouri
- U.S. District Court, District of Kansas
- U.S. District Court, Southern District of Illinois
- U.S. District Court, Central District of Illinois

Memberships

- Eastern District of Missouri Bankruptcy Court
 - Local Rules Advisory Committee, 2021-2023
- The Missouri Bar
- Kansas Bar Association
- Bar Association of Metropolitan St. Louis
- American Bar Association

Recognition

- 10th Annual M&A Atlas Awards, Retail Services Restructuring of the Year (above \$500M), Payless ShoeSource Restructuring
- Selected for *Best Lawyers*® “Lawyer of the Year” in St. Louis, Missouri, for Financial Services Regulation Law, 2026
- Selected for inclusion in *Best Lawyers in America*® for:
 - Financial Services Regulation Law, 2023-2026
 - Litigation - Banking and Finance, 2022-2026
 - Banking and Finance Law, 2021-2026
 - Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law, 2021-2026
 - Litigation - Bankruptcy, 2020-2026

Matters

- St. Louis bankruptcy counsel and conflicts counsel to Creditors' Committee in the first and second Chapter 11 bankruptcy case of Payless ShoeSource, LLC.
- Borrower with multi-entity corporate structure put business portfolio in Chapter 11 to attempt to cram-down bank's loan and repay less than 75 percent of balance. After nine months of bankruptcy litigation, bank received preferential and full payment treatment in Chapter 11 plan by debtors.
- Client's real estate collateral consisting of 180 units had lost 30 percent of value and borrower transferred interest to third-party entity in attempt to avoid future debt service payments. After an expedited motion and hearing schedule, obtained an order evicting prior manager of complex and securing all rents and property for client to limit loss and assess value of collateral.
- Debtor filed Chapter 11 with complex partnership structure that included multiple state and federal tax credits serving as client's collateral. Successfully defended bank's interest against large multi-national bank that attempted to assert control of annual tax credit stream of payments stemming from low-income housing tax credit project.
- Represented bank in default of out-of-state plastic company. Pre-litigation claims by multiple attorneys and borrower were that assets to be recovered totaled less than

\$500,000. Proceeded with litigation and receiver appointment and recovered more than \$2 million for bank.

- National loan servicer was served with more than 20 pages of RESPA claims and complaints with threat of suit. Obtained relevant loan servicing information and within 30 days had all RESPA claims responded to and dismissed.