

# Timothy J. Sear

ATTORNEY

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Timothy J. Sear has over 35 years experience in complex business litigation, with particular emphasis in land use litigation and bankruptcy litigation. Mr. Sear has acted as lead trial and appellate counsel in cases ranging from simple loan enforcement to disputes involving multi-million dollar developments.

Mr. Sear also has extensive trial experience in the areas of real estate contract disputes, business torts, non-competes and products liability.

## Education

- University of Iowa (J.D., 1985)
  - with distinction
- University of Iowa (B.A., 1980)

## Bar Admissions

- Kansas, 1991
- Missouri, 1985

## Court Admissions

- U.S. District Court, Western District of Missouri
- U.S. District Court, District of Kansas
- U.S. District Court, Eastern District of Missouri
- U.S. Court of Appeals, Eighth Circuit
- U.S. Court of Appeals, Tenth Circuit

## Memberships

- Johnson County Bar Association
  - Ethics and Grievance Committee
- Kansas City Metropolitan Bar Association
- Boy Scouts of America

## Capabilities

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

## Recognition

- Named "Lawyer of the Year" by *Best Lawyers*® for:
  - Litigation - Land Use and Zoning, Kansas City, KS, 2019 and 2020
- Selected for inclusion in *The Best Lawyers in America*® in the fields of:
  - Commercial Litigation, 2009-2023
  - Land Use and Zoning Law, 2009-2023
  - Litigation - Land Use and Zoning, 2009-2023
  - Litigation - Securities, 2009-2023
- Listed in Missouri and Kansas *Super Lawyers*
- AV Rated Martindale Hubbell
- Served as panel bankruptcy trustee for U.S. Bankruptcy Court for District of Kansas
- Former high school teacher and head football and head basketball coach

## Matters

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- Obtained dismissal of massive *qui tam* lawsuit without plaintiff receiving any discovery.
- Represented the Officials Unsecured Creditors Committee in a fraudulent transfer action, which netted a multimillion-dollar recovery from former owners of the bankrupt.
- Successfully litigated corporate governance issues of first impression from Missouri trial court through Court of Appeals and to Missouri Supreme Court.
- Successfully avoided unauthorized obligations incurred by the debtors, which were to the detriment of Kroh's Brothers Development Company creditors and partners. At the time, the bankruptcy was the largest ever filed in the state of Missouri.
- Served as litigation counsel to major retailers when cities act arbitrarily toward retailers in zoning and permitting decisions.
- Successfully litigated scope of non-competes involving specialized medical practices to Kansas Court of Appeals.