



BASSFORD REMELE

Jeffrey D. Klobucar

SHAREHOLDER



jklobucar@bassford.com
T 612.376.1639
F 612.746.1239

PRACTICE GROUPS

Bankruptcy/Creditors' Remedies
Class Action/Multidistrict Litigation
Commercial Litigation

INDUSTRY GROUPS

Credit and Collection
Financial Services

OVERVIEW

Jeffrey Klobucar is a commercial litigator having experience in all aspects of complex litigation in both state and federal court matters.

Jeff regularly represents creditor committees and commercial creditors in bankruptcy cases, as well as representing creditors in other federal and state court litigation and appellate matters. He routinely handles cases involving the enforcement of contract rights, including security agreements and commercial leases involving both real estate and personal property. He also pursues commercial post-judgment collection matters, including enforcement of judgment liens and guaranties, commercial garnishment actions, and determinations of non-dischargeability in bankruptcy court. Jeff is dedicated to protecting the rights of commercial creditors in bankruptcy and other federal and state court matters. Additionally, he has significant class-action and multi-district litigation experience. Jeff is chair of Bassford Remele's Bankruptcy/Creditors' Remedies Practice Group.

Jeff is a graduate of the University of St. Thomas School of Law, where he served as an adjunct professor for five years.

EDUCATION & ADMISSIONS

Education

University of St. Thomas School of Law, J.D., 2008
University of Minnesota, B.A., 2005

Bar Admissions

- U.S. Court of Appeals, Eighth Circuit
- U.S. District Court, District of Colorado
- U.S. District Court, District of Minnesota
- U.S. District Court, Northern District of Illinois
- U.S. District Court, Western District of Wisconsin
- Minnesota
- North Dakota
- Wisconsin

EXPERIENCE

Representative Committee Cases

- Represented the Official Committee of Unsecured Creditors. *In re: Tea Olive I, LLC*, Bky. No. 21-30037 (Bankr. D. Minn.).
- Represented the Official Committee of Unsecured Creditors. *In re: Granite City Food & Brewery Ltd.*, Bky. No. 19-43756 (Bankr. D. Minn.).
- Represented the Official Committee of Unsecured Creditors. *In re: Tiger Oak Media, Incorporated*, Bky. No. 19-43029 (Bankr. D. Minn.). Currently representing the Liquidating Trustee installed as a result of the confirmed chapter 11 plan.
- Currently representing the Official Committee of Unsecured Creditors. *In re: Rancher's Legacy Meat Company*, Bky. No. 19-32928 (Bankr. D. Minn.).
- Represented the Official Committee of Unsecured Creditors. *In re: Millerbernd Systems, Inc.*, Bky. No. 18-41286 (Bankr. D. Minn.). Currently representing the Liquidating Trustee installed as a result of the confirmed chapter 11 plan.

Jeffrey D. Klobucar
SHAREHOLDER

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Representative Creditor Cases

- Currently representing creditor in state court fraudulent transfer action against debtor, including obtaining a jury verdict in favor of creditor against the debtor, and prosecuting a corresponding adversary case in bankruptcy court. *Casey Garven, et al., v. Michael M. Paczkowski*, Adv. Case No. 19-04140 (Bankr. D. Minn.); *Casey Garven, et al., v. Michael Paczkowski, et al.*, Civil Case No. 10-CV-19-956 (Carver County District Court).
- Currently representing large telecommunications companies in two garnishment actions subsequent to assignment for the benefit of creditors.
- Currently representing large retail food supplier in breach of contract claim.
- Currently representing factoring company as creditor in chapter 7 bankruptcy proceeding. *In re 94 LOGISTICS, LLC*, Bky. No. 22-03053 (Bankr. D. Minn.).
- Currently representing individual creditor related to jointly-administered cryptocurrency mining bankruptcy case. *In re Compute North Holdings, Inc.*, Bky. Case No. 22-90273 (Bankr. S.D. Tex.).
- Represented Liquidating Trustee in fraudulent transfer claims against debtor executive. *Ronald Leaf, Trustee of the Post-Confirmation Trust of Millerbernd Systems, Inc. v. Bradley Millerbernd, AMJ Enterprises, LLC, and Nutrability, LLC*, Adv. Case No. 20-04076 (Bankr. D. Minn.).
- Defended company executives from claims for breach of fiduciary duty, preference liability, and fraudulent conveyance claims raised by chapter 7 trustee. *Seaver v. Platt*, Adv. Case No. 20-04041 (Bankr. D. Minn.).
- Represented multiple consignment creditors in a jointly-administered retail distribution chapter 11 bankruptcy case involving seven separate distribution entities across the U.S. and Canada. *In re: WYNIT Distribution, LLC*, Bky. No. 17-42726 (Bankr. D. Minn.).
- Represented insurers in bankruptcy proceedings and related coverage adversary proceedings filed by various diocesan corporations in Minnesota. *In re: Archdiocese of St. Paul and Minneapolis*, Bky. No. 15-30125 (Bankr. D. Minn.); *In re: Diocese of Duluth*, Bky. No. 15-50792 (Bankr. D. Minn.); *In re: The Diocese of New Ulm*, Bky. No. 17-30601 (Bankr. D. Minn.).
- Represented a national software and computer equipment lessor in a big-box retail bankruptcy proceeding. *In re: Gander Mountain Co.*, No. 17-30673 (Bankr. D. Minn.).
- Represented an advertising service creditor in a big-box retail bankruptcy proceeding. *In re: Gander Mountain Co.*, No. 17-30673 (Bankr. D. Minn.).
- Represented an owner/landlord of commercial real property leased to a debtor in a big-box retail bankruptcy proceeding. *In re: Gander Mountain Co.*, No. 17-30673 (Bankr. D. Minn.).
- Represented an owner/landlord of commercial real property leased to a debtor in a corporate chapter 7 proceeding. *In re: RF Beardesley Services, LLC*, Bky. No. 18-41667 (Bankr. D. Minn.).
- Represented a secured creditor in a chapter 11 bankruptcy proceeding related to the reorganization of an asphalt company. *In re: Midwest Asphalt Corp.*, Bky. No. 17-40075 (Bankr. D. Minn.).
- Represented commercial landlord in breach of contract claim regarding lease and incident guaranty.
- Represented an owner/landlord of commercial real property leased to a debtor in a corporate chapter 7 proceeding. *In re: Speec, Inc.*, Bky. No. 16-32822 (Bankr. D. Minn. 2017).
- Represented a chapter 7 trustee and affiliated intellectual property purchaser and obtained a favorable settlement in an adversary proceeding against multiple parties. *DataWave Int'l, LLC, et al. v. Bluesource, Inc., et al.*, Adv. No. 13-3158 (Bankr. D. Minn. 2017).

Jeffrey D. Klobucar
SHAREHOLDER

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- Represented a secured creditor and obtained a determination of non-dischargeability in an action against a debtor based on claims for fraud. *Venture Group Enters., Inc. v. Shatto*, Adv. No. 1-15-00063-CJF (Bankr. W.D. Wis. 2016).
- Represented a judgment creditor and obtained a determination of non-dischargeability in an action against a debtor related to claims for intentional tortious conduct. *Ludwig v. Graw*, Adv. No. 14-4245 (Bankr. D. Minn. 2015).
- Represented a creditor and obtained a stipulated determination of non-dischargeability in an action against a debtor for claims of fraud. *Campbell v. Kittelsen*, Adv. No. 15-3011 (Bankr. D. Minn. 2015).
- Represented commercial trucking company in contract litigation, obtaining trial verdict in favor of client for the full measure of damages permitted under the contract.
- Part of team who represented commercial equipment lender, obtaining dismissal of claims on its behalf and successfully defending dismissal at Minnesota Court of Appeals.

Representative Complex Litigation Matters

- Counsel for defendant in national class action lawsuit regarding claims for defective laptop components.
- Part of Plaintiffs' Lead Counsel Team in multi-district litigation matter resulting in \$1.5 billion settlement for American Corn Farmers related to claims related to GMO corn market. *In Re: Syngenta AG MIR162 Corn Litigation*, Civil Case No. 2:14-md-02591-JWL-KGG (U.S. District Court – Kansas); *In re: Syngenta Corp. Litigation*, Civil Case No. 27-CV-15-3785 (Hennepin County District Court).
- Plaintiffs' Liaison Counsel in NHL Concussion Lawsuit alleging claims against National Hockey League. *In re: National Hockey League Players' Concussion Injury Litigation*, Civil Case No. 0:14-md-02551-SRN-BRT (U.S. District Court, Minn.).
- Served on the law and briefing committee as part of the leadership team in the Imprelis Herbicide Liability Litigation, venued in the Eastern District of Pennsylvania, in which Plaintiffs obtained a multi-million dollar settlement on behalf of a nationwide class. *In re: Imprelis Herbicide Marketing, Sales Practices and Products Liability Litig.*, 2:11-md-02284-GEKP (E.D. Pa. 2012).

Publications

- *Bankruptcy Bulletin*, co-editor in chief, Minnesota State Bar Association, 2018-2019; editor, 2015-2018
- *Statutory Liens and Other Special Rights of Creditors*, co-author, Minnesota CLE Debtor-Creditor Law Handbook, Ch. 16, co-author, 2018-2021
- *The Rise and Fall of the Ponzi Scheme Presumption*, co-author, Bench & Bar of Minnesota, Jan. 2018

Seminars

- *Best Practices for Construction Collection*, presenter, Construction Law Section, Minnesota State Bar Association, April 18, 2024
- *The 2022 Bankruptcy Institute*, chair, Minnesota Continuing Legal Education, October 13-14, 2022
- *Winding Up a Distressed Case*, moderator, The Bankruptcy Institute, Minnesota Continuing Legal Education, October 14, 2022
- *NOTICE! Issues Relating to Notice in Bankruptcy Court*, presenter, Bankruptcy Section, Minnesota State Bar Association, February 15, 2018

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PROFESSIONAL & CIVIC

Bar Associations

- Minnesota State Bar Association
 - Legislative Committee, 2021-2022
 - Bankruptcy Section
 - Chair, 2021-2022
 - Secretary, 2020-2021
 - Treasurer, 2019-2020
 - Bankruptcy Institute Planning Committee, Chair, 2021 and 2022
- State Bar of Wisconsin
- Hennepin County Bar Association

Professional Associations

- American Bankruptcy Institute

Civic Involvement

- University of St. Thomas School of Law, Adjunct Professor, 2008-2013
- Volunteer Lawyers Network, 2014-present

ACCOLADES

Honors & Awards

- *The Best Lawyers in America*®, Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law and Commercial Litigation, 2024 ed.
- Attorney of the Year, as part of the Syngenta Legal Team, *Minnesota Lawyer*, 2017
- Rated AV Preeminent® by Martindale-Hubbell®
- Minnesota Super Lawyers List, *Super Lawyers*, 2019-present
- Minnesota Rising Stars List, *Super Lawyers*, 2014-2018