

# Andrew J. Steil

Principal, Community Banking Chair



Direct: 320.202.5354 (MN)  
andrew.steil@gpmlaw.com

## St. Cloud, MN

1010 W. St. Germain  
Suite 500  
St. Cloud, MN 56301  
Phone: 320.252.4414  
Fax: 320.252.4482

## Fargo, ND

210 Broadway N  
Phone: 701.298.6050  
Fax: 701.298.7685

## Practices

- Litigation
- Commercial Lending
- Reorganization & Bankruptcy
- Business Litigation
- Financial Services Litigation
- Real Estate Litigation
- Community Banking
- Banking & Financial Services
- Complex Financial Litigation

## Education

- William Mitchell College of Law, J.D.
- Minnesota State University, Mankato, B.S.

## Bar Admissions

- Minnesota
- North Dakota

## Court Admissions

- U.S. District Court District of Minnesota
- U.S. District Court District of North Dakota

Andrew is a principal in Gray Plant Mooty's St. Cloud and Fargo offices, Managing Officer of the Fargo location, and chair of the firm's community bank group. His practice focuses on representing lenders and he has been lead counsel in numerous bank litigations, lien litigations, mechanic's lien litigations, workouts, receiverships, foreclosures, replevins, business liquidations, lender liability cases, loan transactions, loan documentation and structure issues, bankruptcy litigation, mortgage and title insurance litigation, large collection actions, and agricultural workouts and litigations. Additionally, he represents many banks as outside general counsel, handling all of their legal issues.

Andrew is the former president of the Stearns/Benton Bar Association and served on several nonprofit boards of directors—including the Minnesota Real Estate Foundation and as the president of the board of Catholic Charities for the Diocese of St. Cloud. He was named an Up & Coming Attorney by Minnesota Lawyer and has been named a Minnesota Rising Star by Thomson Reuters every year since 2013.

## Experience

- Represented lenders in multiple agricultural workouts, foreclosures, replevins, and related litigation in both Minnesota and North Dakota
- Represented lenders in multiple workout, litigation, foreclosure, replevins, and liquidation of manufacturing facilities
- Represented lenders in multiple workout, litigation, foreclosure, replevins, and liquidation of agricultural operations, including dairy and large crop farmers
- Represented lenders in multiple workout, litigation, foreclosure, replevins, and liquidation of restaurants and other related entertainment venues
- Represented lenders in multiple workout, litigation, foreclosure, replevins, and liquidation of hotels, golf courses, gas stations, apartment complexes, technology, retail space, and other commercial real estate
- Represented lenders in multiple chapter 11 and chapter 12 bankruptcies and adversary proceedings
- Represented lenders in multiple cases as lead counsel in drafting loan documents at origination and modifications
- Represented lenders in as lead counsel in large, complex participations
- Represented lenders in multiple cases in title and other related real estate issues
- Represented lender in successfully dismissing claim of predatory lending related to contract for deeds
- Represented lender in multiple receiverships and assignments for the benefit of creditors, including related operational oversight, litigation, and resale as going concern or liquidations
- Represented lender in successfully dismissing borrowers' marshalling claim

- Represented lead lender in multimillion dollar restaurant and convention center loan participation litigation, including the subsequent foreclosure and collection
- Represented CDC in litigation against 504 guarantors
- Represented multiple lenders in defending borrower or guarantor claims alleging verbal modification or estoppel
- Represented material supplier in successfully preventing discharge of client's half million dollar debt in bankruptcy in a mortgage fraud case against a principal of the debtor and revoking the discharge of another principal of the debtor
- Represented receiver in bankruptcy nondischargeability lawsuit against debtor accused of embezzling from a failed bank
- Represented bank in obtaining summary judgment against an account debtor, a large road construction company, by defeating its defenses of unmatured and contractual setoff
- Representing bank in suing and subsequently liquidating several SBA 7a loans to franchisee restaurant operators
- Represented debt buyer in dismissing debtor's FDCPA lawsuit based upon a statute of limitations violation
- Represented bank in multimillion dollar loan foreclosure by action and subsequent workout against northern Minnesota restaurant
- Represented bank in successfully foreclosing and reselling of gas station property containing underground storage tanks
- Representing bank in multimillion dollar loan foreclosure and litigation by action secured by a self-sustaining ecofriendly facility in northern Minnesota
- Representing bank in replevin action and subsequent controlled sale of well drilling rigs
- Represented bank in litigating and successfully settling with a large mortgage originator over an incorrectly completed real property subordination agreement
- Represented bank in obtaining summary judgment against borrower by relying upon FIRREA and D'Oench Duhme doctrine preventing admissibility of verbal and undocumented statements or agreements made by a failed bank on a loan purchased from the FDIC following a bank failure
- Represented bank in successful summary judgment against borrowers that sued bank alleging they were charged attorneys' fees by the bank before a jury determined the reasonableness of such fees
- Represented bank in successful summary judgment against non-owner spouse invalidating an affidavit of postponement filed to delay a sheriff's sale
- Represented bank in successful summary judgment against borrowers that were alleging prior promises to forebear and modify a loan

## Honors / Activities

### Professional Activities

- Commercial Law League of America

- Catholic Charities for the Diocese of St. Cloud, Board of Directors
- Independent Community Bankers of Minnesota, Legislative Committee
- John E. Simonett Inns of Court
- Minnesota Real Estate Foundation, Board of Directors, 2012
- Minnesota State Bar Association, Bankruptcy Section
- Stearns/Benton Bar Association, President, 2011

### Honors and Distinctions

- "Minnesota Rising Star," Thomson Reuters, 2013-2018
- "Great Plains Rising Star," Thomson Reuters, 2016-2018
- "Up & Coming Attorney," *Minnesota Lawyer*, 2014

### Community Involvement

- Catholic Charities of the Diocese of Saint Cloud, Minnesota, Board of Directors
- MSBA High School Mock Trial Advisory Committee
- St. Cloud Area Chamber Leadership Program
- St. Cloud Rotary, Board of Directors
- United Way of Central Minnesota