

# Benjamin J. Court

## PARTNER

benjamin.court@stinson.com

Direct: 612.335.1615

Office: Minneapolis



**Ben brings a creative, no-nonsense approach to achieving business objectives for equipment finance organizations, secured creditors, statutory and judgment lienholders, banks, asset buyers, real property lessors, lenders, servicers, receivers, trustees, creditor committees, and trade creditors.**

Clients appreciate Ben's experience and deep industry knowledge involving personal property leasing, bankruptcy and restructuring matters, secured finance, distressed asset acquisitions and workout scenarios, lien and judgment enforcement situations, insolvency proceedings, and complex financial services litigation. With an insider's understanding of the business and jargon, he quickly assesses challenging financial situations, analyzes risks, and plots a course for stability in inherently unstable markets.

Ben is particularly focused on representing equipment leasing and finance organizations. He is well-versed in Articles 2A and 9 of the Uniform Commercial Code. He has documented numerous lease and loan transactions for captive, bank-affiliated and independent equipment finance companies and has successfully enforced their rights in lawsuits, mediations, arbitrations, and bankruptcy and restructuring proceedings.

## PRACTICES & INDUSTRIES

- Bankruptcy & Creditors' Rights
- Banking & Financial Services
- Business Litigation
- Agribusiness
- Commercial Lending
- Agribusiness Finance
- Consumer Financial Services
- Equipment Leasing & Finance

## ADMISSIONS

- Minnesota
- North Dakota
- Wisconsin
- U.S. District Court for the District of Minnesota
- U.S. Bankruptcy Court for the District of Minnesota

**STINSON**

STINSON LLP \ STINSON.COM

# Benjamin J. Court

## EXPERIENCE

Routinely advises lenders, creditors, servicers and committees in Chapter 7, 11 and 12 bankruptcies.

Serves as outside counsel for a number of agribusiness lenders in the United States, providing practical advice regarding workouts, foreclosures, enforcement matters, secured transactions and intercreditor relationships.

Successfully represented the main secured creditor in contested receivership litigation involving the liquidation and sale of the assets of a specialty manufacturing company.

Regularly defends lenders and servicers in a wide variety of contested matters, including claims of wrongful foreclosure, fraud, and breach of contract, as well as alleged violations of RESPA, TILA, FCRA, TCPA, FDCPA, and other consumer protection laws.

Represented receiver in sale of distressed medical business, handling numerous litigated employment, regulatory, and lien priority disputes.

Advisor to equipment lessors in connection with financial transactions covering a wide variety of assets and industries, including technology, agriculture, industrial/manufacturing, transportation, construction, medical, government and energy.

## RECOGNITIONS

Selected to the 2024 edition of *Best Lawyers in America*®

Selected to the Minnesota *Super Lawyer*® list, 2015-2019

Selected to the Minnesota Rising Star list, 2007-2014

## PROFESSIONAL & CIVIC ACTIVITIES

Equipment Leasing and Finance Association

U.S. District Court for the District of North Dakota

U.S. Bankruptcy Court for the District of North Dakota

U.S. District Court for the Western District of Wisconsin

U.S. District Court for the Eastern District of Wisconsin

U.S. Bankruptcy Court for the Western District of Wisconsin

U.S. Bankruptcy Court for the Eastern District of Wisconsin

U.S. Court of Appeals for the Seventh Circuit

U.S. Court of Appeals for the Eighth Circuit

U.S. District Court for the District of Nebraska

U.S. District Court for the District of Colorado

U.S. Bankruptcy Court for the District of Colorado

U.S. District Court for the Northern District of Illinois

U.S. District Court for the Central District of Illinois

U.S. District Court for the Southern District of Illinois

U.S. Bankruptcy Court for the Northern District of Illinois

U.S. Bankruptcy Court for the Central District of Illinois

U.S. Bankruptcy Court for the Southern District of Illinois

U.S. Bankruptcy Court for the District of Delaware

U.S. Bankruptcy Court for the District of Iowa

## EDUCATION

University of Minnesota Law School, J.D.

University of Minnesota, B.A., *summa cum laude*

**STINSON**

STINSON LLP / STINSON.COM

## Benjamin J. Court

- Former Legal Committee Member
- Service Provider Business Counsel Steering Committee
- Legal Resources Subcommittee
- Legislative and Regulatory Subcommittee
- e-Commerce Subcommittee

American Bankruptcy Institute

Minnesota State Bar Association

- Bankruptcy Section Member
- Former Co-Editor-in-Chief of MSBA Bankruptcy Bulletin

Turnaround Management Association

Secured Finance Network – Minnesota Chapter

### NEWS

175 Stinson Attorneys Selected to the 2024 *Best Lawyers in America* List  
08.17.2023

### SPEAKING ENGAGEMENTS

“Legal Update: Recent Case Law and Statutory Developments Regarding Bankruptcy, Creditor Litigation, the Uniform Commercial Code, and the Uniform Special Deposits Act.” Equipment Leasing and Finance Association, May 2024

“You Just Received a Judgement – Now What?” Minnesota Family Law Institute, March 2024

“Trial Skills: Valuation Hearing – Mock Trial Panel Discussion,” Central States Bankruptcy Workshop, June 2023

“Leases v. Loans 101: Examining True Leases and Disguised Security Agreements Under the Uniform Commercial Code,” Equipment Leasing and Finance Association – Legal Forum 2023

“Legal Update,” Equipment Leasing and Finance Association – Legal Forum 2023

[Bankruptcy Basics for Bankers Webinar](#), August 2022

**STINSON**

STINSON LLP \ STINSON.COM

## Benjamin J. Court

"Insights to Chapter 12 Cases: Creative Thoughts and Discussions of Practical Realities when Navigating Chapter 12 Cases in an Uncertain Economy," Minnesota State Bar Association Bankruptcy Institute, 2021

"10 Essential Things Real Estate Attorneys Should Know About Bankruptcy Law," Minnesota State Bar Association Real Estate Institute, 2021

"True Lease or Not True Lease, That is the Question," Minnesota State Bar Association Bankruptcy Section, 2021

"UCC Basics and Advanced Issues," Equipment Leasing and Finance Association – Legal Forum, 2021

"Advanced UCC Session," Equipment Leasing and Finance Association – Legal Forum, 2019

"Section 365: Key Issues for Lessors under Non-Residential Real Property and Personal Property Leases," Minnesota State Bar Association Bankruptcy Institute, 2018

"What You Thought Was True About Lease Provisions ... But Might Not Be," Equipment Leasing and Finance Association - Legal Forum, 2018

"Your Client or Vendor Just filed for Bankruptcy – Tips on What Corporate Counsel Should Do Next," ACC Iowa 5th Annual Corporate Counsel Forum, 2017

"Headwinds in the Agricultural Sector: Selected Issues Dealing with Defaults," Equipment Leasing and Finance Association - Legal Forum, 2017

"Hot Topics Roundtable," Equipment Leasing and Finance Association - Legal Forum, 2017

"Hot Topics Roundtable," Equipment Leasing and Finance Association - Legal Forum, 2016

"Advanced UCC Topics," Equipment Leasing and Finance Association - Legal Forum, 2015

"Leasing Lessons Learned from the Rich and Famous," Equipment Leasing and Finance Association - Legal Forum, 2014

## PUBLICATIONS

"Ten Essential Lease Provisions," *Equipment Leasing & Finance Magazine*, November/December 2021

Electronic Chattel Paper," *Law Journal Newsletter's Equipment Leasing Newsletter*, October 2015

"Small Errors Can Cause Catastrophic Outcomes," *Equipment Finance Advisor*, October 2014

**STINSON**

STINSON LLP / STINSON.COM