

Kenda K. Tomes

PARTNER

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Kenda is a strong and efficient advocate for her servicing and lending clients coming up with creative, practical and reasonable solutions in the complex world of structured finance and securitization.

Kenda has spent more than a decade as the lead of the firm's Structured Finance and Securitization practice and is experienced in the full range of structured finance transactions. Commercial loan servicers, banks and investors rely on Kenda to structure and advise them in connection with all aspects of conduit and single asset single borrower loan financing, servicing and lending programs, including new issuance structured finance transactions.

In 2015, 2016, 2017 and 2018, respectively, Kenda and her group successfully closed over \$65 billion, \$38 billion, \$32.5 billion and \$25 billion in transactions involving new issuance of commercial mortgage backed securities backed by conduit loans and single asset single borrower loans. Kenda was selected to *Ingram's* Magazine's 2019 class of Rainmakers, which recognized top-producing women in the Kansas City legal industry.

Kenda advises clients in connection with securities laws and regulations, including Regulation AB, Regulation 17g-5, Regulation 15Ga-1. She advises clients regarding master repurchase and participation facilities, agency transactions and structuring client portfolio servicing facilities. Kenda also has

PRACTICES & INDUSTRIES

Corporate Finance
Structured Finance & Securitization
Mergers & Acquisitions
Public Companies, Securities & Capital Markets
Securities

ADMISSIONS

Illinois, 1992
Kansas, 1997
Missouri, 1999
U.S. District Court of Northern District of Illinois
U.S. District Court of Kansas

EDUCATION

J.D., Chicago-Kent College, *Highest Honors*, 1992

- Order of the Coif

University of Michigan, 1982

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deep experience counseling servicers and CMBS trusts in complex loan modifications, liquidations, workouts, foreclosures and related asset management and servicing issues.

Her team assists lenders with loan origination, mezzanine and bridge loan financing, loan assumptions, defeasance transactions and other post closing transactions. Her team also advises clients in connection tax issues, securities and exchange act issues.

EXPERIENCE

Kenda uses a pragmatic approach to handle new issuance structured finance transactions for Midland Loan Services, PNC Bank, and other servicers or special servicers. She also represents her clients in connection with acquisitions of servicing rights. Since December 2014, she has advised and represented:

- master servicers and/or special servicers in approximately 210 new issuance CMBS transactions and single asset single borrower transactions involving over \$167 billion in securities backed by commercial and/or multifamily mortgage loans.
- master servicers in connection with the acquisition of approximately \$73.5 billion in servicing rights purchased in connection with CMBS transactions.

Recently, she advised a servicer in connection with:

- A loan portfolio secured by Charter schools.
- Multiple new loan portfolios secured by single-family rental properties.
- Loan portfolios held by credit unions.
- Kenda represented investors in connection with a \$50 million mezzanine loan securitization.
- She represented a servicer in connection with a \$900 million restructure of West Edmonton Mall indenture, secured by West Edmonton Mall, located in Edmonton, Alberta.

Kenda represented a special servicer on behalf of a trust in connection with a:

- Modification of a pooling and servicing agreement governing a trust holding floating rate mortgage loans to permit maturity date extensions of more than 120 days. Modification required obtaining of a no-downgrade letter from rating agencies.
- Complex modification of the related mortgage loan and mezzanine loan agreements and terms and several extensions of a \$275 million floating rate loan secured by multiple office buildings located in various states.

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RECOGNITIONS

Selected to the *Ingram's Magazine's* 2019 class of Rainmakers

The Missouri Bar, 2017 Pro Bono Wall of Fame

The Best Lawyers in America®, for Structured Finance Law, 2007-2010

Missouri & Kansas *Super Lawyers*, Securities & Corporate Finance, 2008-2012

PROFESSIONAL & CIVIC ACTIVITIES

American College of Real Estate Lawyers, 2019--New Fellow

CRE Finance Council, Member, 2000-present

CRE Finance Council Women's Network Advisory Board, 2015-2019—Membership and Speaker Committees

CRE Finance Council Client Regulation AB II and Risk Retention Implementation Committee, 2016-2017

CRE Finance Council Rating Agency Communications Task Force, 2016-2017

CRE Finance Council Co-Chair Special Servicer Transfer Task Force, 2014-2015

CRE Finance Council Co-Chair Task Force regarding Insurance Ratings, 2014-2015

CRE Finance Council PSA Standardization Task Force, 2010-2012

Mortgage Bankers Association, Member, 2002-present.

Canadian Commercial Mortgage Securities Association, 2002-2008, Canadian Securitization Standardization Committee, 2004-2008

Kansas City 8th Ward Committeewomen—Jackson County Republican Committee (March 2019 to present)

State of Missouri Securities Advisory Panel, 2002-2005; 2008 to 2010

World Revival Church, 2013-2019 (Leader and active member—Shut-in, Prayer, Greeting and On-line Ambassador Ministries)

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NEWS

Stinson's Pro Bono Nonprofit Legal Clinic Continues to Serve Kansas City-Area Communities
06.29.2023

Stinson and Association of Corporate Counsel Hold Virtual Nonprofit and Small Business Pro Bono Legal Clinic
06.16.2021

SPEAKING ENGAGEMENTS

American Bar Association CLE Webinar Program, The Journey of a CMBS Loan after It Closes, April 2019

American College of Real Estate Lawyers 2018 Annual Meeting—How to Navigate the Rabbit Hole: the Journey of a CMBS Loan after it Closes, October 2018

Midwest Servicing Forum—Regulatory Update, October 2018

Mortgage Bankers Association—Small Portfolio Servicer Roundtable—PACE Financing and Related Servicing Issues, September 2018

In-house Stinson/LSTA Seminar—Libor and Sustainable Energy, September 2018

Mortgage Bankers Association—Commercial/Multifamily Servicing and Technology Conference--Regulatory Update Panel (Conflicts in State and Federal Law), May 2018

Midwest Servicer Forum, Regulatory Update (Risk Retention) and Sustainable Energy Financing Panel, October 2017

CRE Finance Council Women's Mentoring and Networking Event – Organizer, Presenter and Moderator, 2016-2019

Midwest Servicer Forum, Regulatory Update Panel and Cause and Effect Panel, October 2016

Midwest Servicer Forum, Regulatory Update Panel and Servicer Panel, October 2015

ALM CMBS Canada-- Moderator Canadian CMBS Panel, November 2014

Midwest Servicer Forum, Regulatory Panel and Master, Primary, Special Servicer Panel, October 2015

CRE Finance Council- Distressed Debt Summit, Moderator Creative Workouts and Loan Structures, March 2012

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PUBLICATIONS

"A Borrower's Guide to Navigating the Complex World of CMBS/CLO Borrowing Post Closing" published by ACREL, 2018.

"CMBS Servicing Primer" published by CRE Finance Council, 2012, 2015

"Best Practices Special Servicer Transfers" published by CRE Finance Council, 2015

"MAC Clauses Kill or Close the Deal," co-authored with Steve Bartels and published by the American Corporate Counsel Association in the ACCA Docket in the October 2002 Issue.

"State Taxation of Puerto Rican Bonds: An Interest(ing) Question," *66 Chi.-Kent L. Rev.* 903,1990

REMIC Relief for COVID-19 Related Modifications and Forbearance
04.22.2020