

Timothy Kelley

He/Him

PARTNER

timothy.kelley@stinson.com

Direct: 612.335.1458

Office: Minneapolis



Tim's banking and real estate clients trust his pragmatic, even-handed approach to negotiations, securing governmental approvals and in complex litigation.

Tim represents clients in banking and lending and real estate litigation. Tim enforces the rights of banks and other secured parties in contested foreclosures, receiverships and UCC Article 9 enforcements actions. He represents real estate clients in a variety of purchase agreement and lease disputes, partnership disputes, property tax appeals, governmental approvals and other complex litigation.

Experienced with banking and lending litigation, Tim represents lenders, other secured parties and mortgage servicers in UCC Article 9 enforcement actions and in state and federal court cases involving contested foreclosures, receiverships, the Fair Debt Collections Practices Act (FDCPA), the Fair Credit Reporting Act (FCRA), Truth in Lending Act (TILA) and lien priority disputes.

EXPERIENCE

Receivership

Obtained decision, later affirmed by Court of Appeals, that appointment of a receiver under Minn. Stat. § 576.25(a) is mandatory and that decision to appoint receiver under that

PRACTICES & INDUSTRIES

- Real Estate Litigation
- Class Action
- Environmental Litigation
- Real Estate & Public Finance
- Real Estate Development
- Distressed Commercial Real Estate
- Structured Finance & RMBS Litigation
- Transportation

ADMISSIONS

- Minnesota
- U.S. District Court for the District of Minnesota

EDUCATION

- University of Minnesota Law School, J.D., *cum laude*, 2000
- University of St. Thomas, B.A., Political Science, *cum laude*, 1997

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statutory provision is not subject to the court's discretion.

Governmental Approvals

Obtained decision by the Court of Appeals holding County acted arbitrarily and capriciously in denying conditional use permit for solar farm and directing County to issue conditional use permit.

Real Estate Dispute

After taking case over on appeal, obtained decision by the Court of Appeals reversing award of summary judgment and remanding to district court with directions to enter judgment for specific performance in client's favor.

UCC Article 9

Handled all aspects of enforcing creditor's rights under Article 9, including public sale of collateral.

Community/Pro Bono Activities

Tim serves on the Board of Directors for Mid-Minnesota Legal Aid and was a long-time member of the firm's pro bono and legal clinic screening committees.

RECOGNITIONS

Selected to the 2023, 2024 editions of *Best Lawyers in America*©

PROFESSIONAL & CIVIC ACTIVITIES

Minnesota State Bar Association

Hennepin County Bar Association

NEWS

152 Stinson Attorneys Selected to the 2023 *Best Lawyers in America* List
08.18.2022

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