



## Clayton Kuhn

SHAREHOLDER IN ST. LOUIS, MO

(314) 446-4268

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### SERVICES

Arbitration & Mediation

Restructuring & Creditors' Rights

Class Actions

Commercial Litigation

Fiduciary & Trust Litigation

General Business Law

Real Estate Litigation

Shareholder Litigation

### INDUSTRIES

Banking & Finance

Entrepreneurs, Closely Held &  
Family Owned Business

Mortgage Providers & Services

Real Estate

As a Shareholder and the Business Litigation Practice Group Leader, Clayton focuses his practice on banking and mortgage servicing litigation, creditors' rights, bankruptcy, shareholder disputes, and trust and estate litigation matters. Utilizing his banking and transactional background and substantive business law knowledge, Clayton is able to offer practical advice and solutions in litigation matters including lender liability claims; breach of fiduciary duty claims; contract disputes; ownership disputes between partners, shareholders, or members of closely held businesses; and Will and Trust contest actions, including claims of undue influence and lack of capacity. He has successfully represented beneficiaries and trustees in terminating or modifying irrevocable trusts, defended trustees from claims by beneficiaries, and successfully tried a week-long trust contest for his clients. Clayton is a graduate of the National Institute for Trial Advocacy trial academy and has traveled across the country to argue in state, federal, and bankruptcy courts.

When working with clients, Clayton is easy going and collaborates with clients to establish clear goals and expectations for each situation.

At Sandberg Phoenix, in addition to leading the Business Litigation Practice Group, Clayton serves on the Recruiting Committee, Diversity Committee, and the Community Connections Committee. He also is a co-Chairperson of the Bankruptcy and Judicial Estoppel team and Chairperson of the Fiduciary Litigation team. Clayton previously chaired the firm's Associate Development Committee, Recruiting Committee, and Mentoring Program.

Outside the office, Clayton enjoys spending time with his wife and two children, golfing, and listening to music, particularly country, folk and blues. He is an avid fan of the St. Louis Cardinals and of attending trivia nights to support local charities.

### PROFESSIONAL AFFILIATIONS

Bar Association of Metropolitan St. Louis, Trust and Probate section

Illinois Bar Association

Missouri Bar Association

Geneva Group International, an international alliance of accounting, consulting and law firms focused on providing clients with specialized business solutions and knowledge throughout the world. Clayton has presented on leadership and partnership issues at two Developing Leaders and Best Practices Conferences and has travelled across the country and to Canada, Mexico and South Africa to participate in conferences and network with leading lawyers, accountants, consultants and investment bankers from all over the world.

## EDUCATION

J.D., Washington University School of Law

- Clayton received the Honor's Scholar award for the 2002-2003 academic year.

B.S. in Business Administration with an emphasis in Banking and Finance,  
University of Missouri - Columbia, *magna cum laude*

## LICENSURE(S) AND ADMISSION(S)

Illinois

Missouri

United States District Court for the Northern District of Illinois

United States District and Bankruptcy Courts for the Central District of Illinois

United States District and Bankruptcy Courts for the Southern District of Illinois

United States District and Bankruptcy Courts for the Eastern District of Missouri

United States District and Bankruptcy Courts for the Western District of Missouri

He has also litigated cases across the country, including recently being asked to serve as special counsel to successfully argue a summary judgment motion in Seattle, Washington.

## CIVIC ACTIVITIES

An active community member, Clayton belongs to the Benevolent Order of the Elks Lodge 1559 and is a booster of the Sons of the American Legion. He also serves as a member of the United Way of Greater St. Louis Allocations Committee for Youth Development and serves on various committees in his church.

## **PRESENTATIONS**

“Hidden Gems in Trust Documents which Help in Trust Litigation,” Bar Association of Metropolitan St. Louis Fiduciary Litigation Seminar

“Knowing Your Role: Partnership Opportunities and Liabilities,” Geneva Group International Conference

“Developing Leadership Roles,” Geneva Group International Conference

“Life of Your Practice” presentation to physicians

“Problem Loan Seminar” presentation to local bankers

## **PUBLICATIONS**

“CFPB Loss Mitigation and Mortgage Servicing Regulations,” Missouri Independent Bankers Association (April 2014)

“Complying with the Servicemembers Civil Relief Act (SCRA),” Missouri Independent Bankers Association (August 2013)

“Regulation B Risks and Litigation: A Reminder About Spousal Guaranties,” Missouri Independent Bankers Association (August 2012)

“365/360 Interest Rate Calculation Method Litigation,” Missouri Independent Bankers Association (August 2011)

“Regulatory Changes Affecting Overdrafts,” Missouri Independent Bankers Association (April 2010)

“New Truth in Lending Requirements,” Missouri Independent Bankers Association (May 2009)