

Eric L. Johnson

Partner



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Kansas City

Eric Johnson is a partner practicing in the Financial Services Group. His practice involves representation of trustees, creditors, debtors, committees, and other interested parties in bankruptcy, receivership, workout, collection, and other related insolvency matters. Eric also represents the various litigants in insolvency related litigation, including bankruptcy avoidance actions. Eric is board-certified in business bankruptcy by the American Board of Certification.*

Eric has a strong commitment to the bar and legal education. In addition to being a frequent speaker on insolvency related topics, Eric is currently serving or has served in the following capacities:

- American Bankruptcy Institute Bankruptcy Litigation Committee, Membership Director (2014-present)
- Kansas City Bankruptcy Bar Association, President (2011-2013), Board Member (2011-present)
- Midwestern Bankruptcy Institute, Advisory Board Member (2010-present), Co-Chair (2014-present)
- Missouri Bar Commercial Law Committee, Co-Vice Chair (2013-present)
- Missouri Bar Commercial Law Committee, Receivership Subcommittee Member (2013-present)
- United States Bankruptcy Court for the District of Kansas, Bench Bar Committee Member (2004-2005) and (2012-2014)
- United States Bankruptcy Court for the Western District of Missouri, Advisory Board Committee Member (2014-present)

Since 2010, Eric has been listed in *The Best Lawyers in America* for Bankruptcy and Creditor-Debtor Rights Law and Bankruptcy Litigation and in the *Kansas City Business Journal's* "Best of the Bar" as well as being listed as a Missouri and Kansas Rising Star for 2009, 2011-2013 by *Super Lawyers*.

Eric received his bachelor's degree in political science, with highest honors, from the University of Northern Iowa. Eric earned his law degree, with distinction, from the University of Iowa College of Law. While in law school, Eric was an Articles Editor for *The Journal of Corporation Law* and authored "Waste Not, Want Not: An Analysis of Stock Option Plans, Executive Compensation, and the Proper Standard of Waste" that was published in *The Journal of Corporation Law's* Fall 2000 edition.

Eric is licensed to practice law in Missouri and Kansas, the federal district courts in Kansas, Colorado, Nebraska, and the Western and Eastern Districts of Missouri, as well as the Eighth and Tenth Circuit Courts of Appeals.

PRACTICE AREAS

Financial Services

**Bankruptcy,
Restructuring and
Creditors' Rights**

EDUCATION

- University of Northern Iowa (B.A.)
- University of Iowa College of Law (J.D., 2001)

BAR ADMISSIONS

- Kansas
- Missouri

COURT ADMISSIONS

U.S. District Court for the District of Kansas

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

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

U.S. District Court for the District of Nebraska

U.S. District Court for the District of Colorado

U.S. Court of Appeals for the Eighth Circuit

U.S. Court of Appeals for the Tenth Circuit

*The American Board of Certification's Business Bankruptcy certification program is accredited by the American Bar Association. Neither the Supreme Court of Missouri nor the Missouri Bar reviews or approves certifying organizations or special designations. Colorado does not certify attorneys or specialists in any field.

AREAS OF EMPHASIS

- Bankruptcy Litigation
- Secured and Unsecured Creditor Representation in Bankruptcy and Receiverships
- Bankruptcy Trustee Representation
- Out of Court Workouts
- Collections and Foreclosures
- Bankruptcy and Reorganization for Businesses and Individuals (non-consumer)

PRESENTATIONS AND SPEAKING ENGAGEMENTS

2014

- I Don't Have to Tell You That: Evidentiary Privileges in Bankruptcy, 34th Annual Midwestern Bankruptcy Institute and Professional Development Workshop , ABI/KCMBBA UMKC CLE (Oct. 2014)
- Bankruptcy Litigation Procedure and Nuances and Appellate Procedure and Strategies, National Business Institute (Aug. 2014)
- Nuts & Bolts for the Casual Bankruptcy Lawyer, Kansas Bar Association Webinar (June 2014)
- The Bankruptcy Exchange Rate and Other Key Bankruptcy Concepts: A Bankruptcy Primer for In-house Counsel, 28th Corporate House Counsel Institute, KCMBBA Corporate House Counsel Committee and The Association of Corporate Counsel (June 2014)
- Collections 101: The Good , the Bad and the Ugly, Nat'l Assoc. of Credit Managers 118th Credit Congress and Expo (June 2014)
- Creditors' Remedies, 2014 MoBar Next Step Series (April 2014)

2013

- Mechanics Liens and Bankruptcy: A Tale of Two Bankruptcies, Select Issues in Business Insolvency Law, Kansas City Bankruptcy Bar Association (Nov. 2013)
- Protecting the Creditor's Position and Bankruptcy Litigation and Procedure, Bankruptcy Law and Litigation, National Business Institute (Oct. 2013)
- Pigs Get Fat, Hogs Get Slaughtered: Property of the Estate and Exemption Issues in Consumer Cases, 33rd Annual Midwestern Bankruptcy Institute and Consumer Forum (Oct. 2013)
- Ethical Considerations in Bankruptcy and Unique Situations, Oddities, and Challenges, Bankruptcy Exemptions, Discharge and Objections to Dischargeability Webinar, National Business Institute (Oct. 2013)
- Appeals 101, 2nd Annual Practical Litigation Skills for Bankruptcy Lawyers, Kansas City Bankruptcy Bar Association (July 2013)
- The Fair Debt Collection Practices Act and Collecting the Judgment, Collection Law from Start to Finish, National Business Institute (June 2013)
- Tales from the Edge: Legal Issues, Disputes, and lessons learned from the West Edge Project, including Arbitration, Real Estate, Construction and Bankruptcy, 2013 Bench Bar Annual Conference, Kansas City Metropolitan Bar Association (May 2013)
- The Impact of Bankruptcy on Collections, Collection Law from Start to Finish, National Business Institute (Mar. 2013)
- 2nd Annual Selected Ethical Issues in Bankruptcy and Judges Roundtable, Kansas City Bankruptcy Bar Association – Moderator of Kansas Bankruptcy Judges Roundtable (Feb. 2013)

2012

- Adversary Proceedings, Claims and Distributions and Automatic Stay, Protecting the Creditor's Rights During Bankruptcy, National Business Institute (Dec. 2012)
- Mock Stay Relief Hearing in a Single Asset Chapter 11 Case, Surviving the First Day in Chapter 11 (and hopefully the days thereafter): Chapter 11 Practical Skills for both Debtors' and Creditors' Lawyers, Kansas City Bankruptcy Bar Association/Turnaround Management Association (Nov. 2012)
- General Bankruptcy Fundamentals, Nuts & Bolts: Bankruptcy Fundamentals for Young and New Practitioners, American Bankruptcy Institute and University of Missouri – Kansas City (Oct. 2012)
- Direct and Cross Examination, Winning Your Trial: Practical Litigation Skills for Bankruptcy Lawyers, Kansas City Bankruptcy Bar Association (July 2012)
- Creditors Remedies Available in Bankruptcy and Identifying Fraudulent Conveyances, Collections: Seeking and Collecting a Judgment, National Business Institute (June 2012)
- Introduction to the Bankruptcy Code and Rules and Automatic Stay Litigation in a Nutshell, Nuts and Bolts of Bankruptcy, National Business Institute (May 2012)
- Bankruptcy Jurisdiction, 2012 MoBar Annual Bankruptcy Institute (Feb/Mar. 2012)
- Selected Ethical Issues in Bankruptcy and Judges Roundtable, Kansas City Bankruptcy Bar Association – Moderator of Kansas Bankruptcy Judges Roundtable (Feb. 2012)

2011

- Preferences and Fraudulent Transfers, Ethical Considerations, and Leaves of Automatic Stay, Top 9 Complications in Bankruptcy, National Business Institute (Dec. 2011)
- Silence is Not Necessarily Golden: Disclosure Issues in Bankruptcy and Ethical Issues that Every Debtor's Counsel Should Know, Selected Ethical Issues in Bankruptcy, Kansas City Bankruptcy Bar Association (June 2011)
- The Fair Debt Collection Practices Act and Collecting the Judgment, Collection Law from Start to Finish, National Business Institute (June 2011)
- Creditor Remedies Available in Bankruptcy, Asset Searches and the Judgment Debtor Exam, and Identifying Fraudulent Conveyances, Collections: Seeking and Collecting a Judgment, National Business Institute (Mar. 2011)
- Specialized Chapter 11s: Small Businesses & Single Asset Cases, 2011 MoBar Annual Bankruptcy Institute (Feb. and Mar. 2011)

2010

- The Great Debates – Resolved: The Till Rate of Interest is Applicable in Chapter 11 Cases, 30th Annual Midwestern Bankruptcy Institute and Consumer Forum (Oct. 2010)
- Overview of Creditors' Rights Under Each Chapter, Automatic Stay, and Ethical Representation During Bankruptcy, Protecting the Creditor's Rights During Bankruptcy, National Business Institute (Sept. 2010)
- Bankruptcy and the Commercial Lease, National Business Institute (August 2010)
- Introduction to the Bankruptcy Code and Rules and Automatic Stay Litigation in a Nutshell, Nuts and Bolts of Bankruptcy, National Business Institute (June 2010)
- The Financially Troubled Commercial Borrower: Selected Issues in Lender Liability (Spring 2010)
- Collecting the Judgment and Impact of Bankruptcy on Collections, Collection Law from Start to Finish, National Business Institute (Mar. 2010)
- Preferences and Fraudulent Transfers, Ethical Considerations, and Leaves of Automatic Stay, Top 9 Complications in Bankruptcy, National Business Institute (Jan. 2010)
- Introduction to Bankruptcy Code and Rules, Kansas City Bankruptcy Clerk's Office (Jan. 2010)

Pre-2010

- Issues, Trends and Perspectives in Commercial Law: “The Chrysler and General Motors Bankruptcies: A Reaffirmance of the Section 363(b) Sale Process and the Sale of Assets Outside a Plan of Reorganization”, Missouri Bar Association (Aug. 2009)
- Introduction to the Bankruptcy Code and Rules and Introduction to Chapter 7, Nuts and Bolts of Bankruptcy, National Business Institute (May 2009)
- KBA Lending Conference, Panel on Bankruptcy and Foreclosure, Kansas Bankers Association (Feb. 2008)
- Setoff in Bankruptcy: An Overlooked Concept, Kansas City Bankruptcy Bar Association (April 2007)
- “Punch List for Debtor’s Counsel Under the Bankruptcy Abuse, Prevention and Consumer Protection Action of 2005,” Kansas Bar Association Bankruptcy Update (June 2005)
- “Reclamation Rights, Accord and Satisfaction, and Setoff,” Missouri Bar Association CLE Program (May 2004)
- “The New Challenge of Titling and Possession of Titled Property”, 9th Annual Legal Issues Conference, Missouri Bankers Association (2002)

MEMBERSHIPS

- American Bar Association
- American Bankruptcy Institute
- Kansas City Bankruptcy Bar Association
- Kansas City Metropolitan Bar Association
- Kansas Bar Association
- Missouri Bar Association

DISTINCTIONS

- *The Best Lawyers in America* 2010-2014
- *Kansas City Business Journal* Best of the Bar – 2010-2013
- Selected for inclusion in *Missouri & Kansas Super Lawyers*® Rising Star, 2009, 2011-2013

