



KEVIN C. FLEMING

Member - St. Louis

PRACTICE AREAS

Real Estate
Commercial Finance
General Counsel Services
Corporate Finance & Securities

EDUCATION

J.D./M.B.A., Northwestern University, 2001
B.A., Dartmouth College, 1995

ADMISSIONS

The Missouri Bar
The California Bar

BIOGRAPHY

Kevin Fleming is a member in the St. Louis office, representing corporate entities and individuals in a wide range of real estate, banking, commercial finance, and general corporate matters. Kevin's practice also includes general corporate representation, handling day-to-day legal matters for corporate clients such as negotiating contracts and advising on entity formation and corporate governance issues.

Kevin's real estate practice includes purchase and sale transactions, commercial leasing, various types of public financings, construction and development matters, and real estate secured lending.

Kevin's banking and commercial finance practice includes representing both borrowers and lenders in negotiating credit facilities and debt issuances, as well as handling work-outs and various types of debt restructuring and debt-related litigation disputes.

Kevin is active in a variety of civic, charitable, and religious activities in the St. Louis area, including the Dartmouth Alumni Club of St. Louis (in which he serves as Co-District Enrollment Director), the Kellogg Alumni Club of St. Louis, the St. Louis Sports Commission Associates, Special Olympics Missouri, and Central Presbyterian Church.

Prior to joining the firm in December 2008, Kevin spent over 5 years practicing real estate, commercial finance, and bankruptcy law with a large St. Louis law firm and 2 years practicing corporate and securities law in Menlo Park and San Francisco, California.

REPRESENTATIVE EXPERIENCE

REAL ESTATE

Kevin represents purchasers and sellers of commercial and residential real estate in national and local transactions ranging from small single-tenant properties with purchase prices under \$1 million to office building and shopping centers with purchase prices as large as an \$889 million office building purchase.

Kevin negotiates complex commercial office and retail leasing transactions on behalf of both landlords and tenants.

Kevin represents real estate lenders, developers, and investors in structuring and negotiating a variety of real estate financing and investment transactions, including real estate syndications, 1031 exchange transactions, and public financings such as Tax Increment Financing and Transportation Development Districts.

Kevin handles a variety of real estate development and construction projects, including drafting and negotiating build-to-suit leases, construction contracts, property management agreements, and condominium documents.

BANKING & COMMERCIAL FINANCE

Kevin represents commercial borrowers in structuring and negotiating credit facilities and debt issuances, including revolving and term loans, construction loans, equipment loans, and real estate loans.

Kevin represents commercial lenders in drafting and negotiating loan documentation for a wide variety of loan transactions, including public financing transactions such as Hospital Revenue Bonds and commercial loans such as automobile floor plan loans.

Kevin drafts and negotiates the full range of loan documents, including credit agreements, promissory notes, guaranties, subordination agreements, trust indentures, participation and syndication agreements, security agreements, mortgages and deeds of trust.

Kevin has successfully negotiated loan work-outs and credit restructurings on behalf of both lenders and borrowers, including drafting and negotiating loan document amendments, standstill and forbearance agreements, and settlement agreements.

Kevin provides support on behalf of borrowers in a wide variety of loan-related litigation matters, including defending borrowers in deficiency actions and guarantors in enforcement actions.

Kevin has drafted over 20 legal opinion letters relating to enforceability of loan documents and validity of security interests.

Kevin represents both secured lenders and property owners in real estate foreclosure proceedings.

Kevin advises numerous clients on extensive Uniform Commercial Code matters.

HONORS

2010 selection for Rising Stars by Missouri/Kansas Super Lawyers Magazine.