



Timothy H. Posnanski

ASSOCIATE GENERAL COUNSEL

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OVERVIEW

Timothy focuses his practice on representing financial institutions, corporations, governmental entities and individuals in a broad range of commercial, real estate, bankruptcy, constitutional and land use litigation matters before the state and federal courts of Wisconsin.

Timothy defends counties, cities, villages, towns, school districts and other public entities against a broad spectrum of claims alleging violations of constitutional rights and other rights created by federal and state law. He has substantial courtroom experience, having represented clients in numerous jury and bench trials and on appeal at all levels of the state and federal court systems, including the Wisconsin Court of Appeals and Supreme Court, the U.S. Court of Appeals for the Seventh Circuit and the U.S. Supreme Court. Timothy has defended public entities against constitutional litigation, including First Amendment claims involving religious freedom and freedom of speech; claims of false arrest, excessive force, deliberate indifference, failure to protect, failure to train, failure to supervise, cruel and unusual punishment and denial of due process in the law enforcement context; and claims involving zoning and other land use disputes.

When representing commercial clients, Timothy's experience includes:

- Advising clients on buying and selling debt and secured loan obligations.

Industry

Financial Services & Capital Markets

Service

Insolvency & Commercial Bankruptcy

- Representing clients in real estate litigation at the trial court and appellate court levels.
- Counseling national, regional and community financial institutions and servicers in contested liquidation, insolvency and lender liability matters.

Experience

- Represented national, regional and community financial institutions and servicers in contested liquidation, insolvency and lender liability matters.
- Secured verdict in favor of secured party against claims of forgery and fraud.
- Documented secured loan restructurings, forbearance agreements and workout arrangements.
- counseled secured parties in resolving disputes regarding negotiable instruments under the Uniform Commercial Code.
- Advised clients on buying and selling debt and secured loan obligations.
- Defended preference actions and claims to avoid liens in bankruptcy and insolvency proceedings.
- counseled national financial institutions in complex real estate negotiations, contested foreclosures, commercial evictions, and commercial and consumer loan workouts.
- Preserved interests in real estate overcoming challenges to loan documentation.
- Represented clients in real estate litigation at the trial court and appellate court levels, including quiet title actions, challenges to zoning regulations, easement application and validity, the enforceability of recorded deed restrictions, reformation of security instruments, and the priority of competing security interests.
- Obtained defense verdict after two-week trial in federal court in favor of former business owners against claims of defamation, conversion and intentional interference with contract.
- Argued before the U.S. Court of Appeals for the Seventh Circuit.

Recognition

- *The Best Lawyers in America*®
 - Bankruptcy and Creditor-Debtor Rights/Insolvency and Reorganization Law, 2022-2026
 - Litigation - Bankruptcy, 2021-2026
 - Litigation - Real Estate, 2016-2026
 - Litigation - Real Estate "Lawyer of the Year," Milwaukee, 2026
- *Wisconsin Law Journal*
 - Wisconsin Up and Coming Lawyers, 2013
- *Wisconsin Super Lawyers*, 2021-2023
 - Rising Star, 2010-2020

Education

- J.D., Washington University in St. Louis School of Law
 - *Washington University Global Studies Law Review*, Associate Editor
- B.A., Marquette University
 - *cum laude*
 - English and Philosophy

Admissions

- U.S. District Court, Eastern District of Wisconsin
- Wisconsin
- Illinois
- U.S. District Court, Western District of Wisconsin
- U.S. Court of Appeals, Seventh Circuit
- U.S. Supreme Court

Community Leadership

- Rotary Club of Milwaukee
- Public Policy Forum
- Hope House of Milwaukee, Inc., Board of Directors
- Milwaukee Tennis & Education Foundation, Board of Directors
- United Way Emerging Leader Council



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