

David M. Henry Associate

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David M. Henry is an AV-Rated Attorney with over 20 years of experience representing many large, mid-size, and smaller businesses. Mr. Henry concentrates his practice on the resolution of construction, commercial bankruptcy and secured and unsecured commercial claims. He places construction liens and enforces construction liens and construction bond claims throughout the 50 states.



He practices his construction bond and lien law and manages liquidation of commercial debt directly and, when required, by the management of selective local counsel throughout the U.S. and beyond.

Before joining the legal profession, Mr. Henry was an award-winning journalist of several years standing. As a lawyer he has both written for and edited a number of professional publications.

Mr. Henry has successfully represented a wide variety of business clients of all sizes, including:

- Collecting millions of dollars by perfecting and enforcing construction lien and bond claims on dozens of construction jobs for a prominent international HVAC subcontractor.
- Perfecting and enforcing construction lien claims for a prominent and leading national lighting fixture supplier which furnishes lighting fixtures for commercial buildings and construction projects on a nationwide basis.
- Successfully defending dozens of creditors facing large claims by bankrupt debtors and bankruptcy trustees for the return of alleged preferential payments received during the 90 days before the bankruptcy filing, including the litigation and compromise of a \$5.4 million avoidable preference claim against a large chemical products supplier client for \$250,000.00.

Practice Areas:

- Commercial Bankruptcy
- Commercial Law
- Construction Liens & Bonds
- Creditors Rights
- Foreclosure
- Leasing
- Preference Litigation
- Secured Transactions
- Transportation – Common Carrier Law



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Other Legal Experience:

- Topical Editor, U.S. Supreme Court and Bankruptcy Law Areas, West's Legal News, West Publishing Company, Eagan, Minnesota, 1994-1996.
- Legal Researcher and Writer (Summary Judgment Memoranda and Appellate Briefs), Legal Research Center, Minneapolis, Minnesota, 1994-1997.

Non-Legal Experience:

- Daily Newspaper Reporter, St. Petersburg Times, St. Petersburg, Florida, 1981-1983.
- Daily Newspaper Reporter, The Miami Herald, Miami, Florida, 1979-1981.

Bar Admissions:

- Minnesota
- Wisconsin
- U.S. District Court, Eastern District of Wisconsin
- U.S. District Court, Western District of Wisconsin
- U.S. District Court, District of Minnesota

Education:

- Hamline University School of Law, St. Paul, Minnesota, J.D., *cum laude*, 1986
- Summer Clerk, U.S. District Judge Harry H. MacLaughlin, 1985.
- University of Minnesota, Bachelor of Arts in Journalism, 1979
- Newspaper Internship, Columnist Jack Anderson, Washington, D.C., Winter Quarter 1979

Academic Distinctions/Honors/Awards:

- Silver Gavel Honor Society (Top 10 of Class)
- Casenotes and Comments Editor, Hamline Law Review, 1985-1986.
- Contributing Editor, Hamline Law Review, 1984-1985.
- American Jurisprudence Awards for Evidence, Civil Procedure, Criminal Procedure and Conflict of Laws.
- First Place, William Randolph Heart Foundation's National Writing Championships, Investigative Reporting Competition, 1979. Honorable Mention, 1978.
- Second Place, Minnesota Newspaper Association's Better College Newspaper Competition, Investigative Reporting Competition, 1978.



Leadership Positions:

- Editor-in-Chief and Contributing Editor, Bankruptcy Bulletin (caselaw summary reporter), published by the Bankruptcy Section of the Minnesota State Bar Association, 1991-1994.

Published Works:

- Comment, “*Choice of Law In Minnesota Corporate Successor Products Liability: Which Rule Is The “Better Rule,”*” 8 Hamline L. Rev. 373 (May 1985) (selected to be digested in Callahan’s Law Review Digest, March-April 1986).
- “*VMI Faces Another Tough Battle In The Equal Protection War As U.S. Challenges School’s Men-Only Policy,*” West’s Legal News, April 16, 1996.

Speeches/Seminars Presented:

- “*Techniques For Protecting Revenue When Selling to Customers with Marginal Credit,*” Wisconsin Credit Association.
- “*Construction Lien Law in Wisconsin,*” (Presentation on the Federal Miller Act and the Impact of Bankruptcy on Construction Lien and Bond Claims), Lorman Education Services.
- “*Wisconsin Protection and Collection: Construction Lien and Bond Laws,*” Lorman Education Services.

Professional Distinctions/Honors/Awards:

- Rated AV (Highest Rating) by Martindale-Hubbell

Professional Associations and Memberships:

- State Bar of Wisconsin
(Member, Bankruptcy, Insolvency, Creditors' Rights and Construction Law Sections)
- Minnesota State Bar Association