JOHN R. SCHREIBER

O'NEIL CANNON HOLLMAN DEJONG & LAING S.C.

Shareholder

Wisconsin's Premier Lawyers & Litigators

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PRACTICE GROUP

- Banking, Receivership & Creditors' Rights
- Litigation

As a member of the firm's Banking, Receivership, and Creditors' Rights and Litigation Practice Groups, John regularly assists both secured and unsecured creditors, including banking institutions, servicers, commercial landlords and other entities, in the enforcement, collection and workout of contracts, loans, leases, and other obligations.

John has extensive courtroom experience in utilizing state and federal collection remedies, such as foreclosure, replevin, garnishment, and the creation of various types of receiverships and trust funds to protect or liquidate assets serving as collateral, and has also served as a Chapter 128 court-appointed receiver to administer assets of insolvent companies.

John also represents the rights of creditors in both state Chapter 128 insolvency proceedings and federal bankruptcy proceedings, and regularly assists clients in the enforcement of contractual or statutory rights and remedies in state and federal courts.

John Assists Clients With

- Enforcing the rights of all types of creditors, including financial institutions, loan servicers, commercial landlords, and other secured or unsecured creditors, both in state and federal courts;
- Restructuring financial transactions and workouts or forbearance terms of troubled loans;
- Drafting and reviewing loan documentation and security agreements;
- Properly perfecting mortgages, security interests, and other types of liens;
- Enforcing security instruments to liquidate all types of pledged collateral;
- Post-judgment collection matters;
- Commercial eviction matters;
- Perishable Agricultural Commodities Act (PACA) trust fund collection;
- Enforcement of Theft by Contactor Claims;
- Contract Drafting and Litigation;
- Real Estate / Conveyances and Title Issues

Experience/Representative Client Work

- Coordinated the immediate involuntary judicial appointment and implementation of a Chapter 128 receiver to take control of a going business concern and its assets in order to collect a debt in excess of five million dollars;
- Efficiently liquidated via the judicial foreclosure process multiple properties located in several counties in a single court action;
- Obtained a six figure settlement on behalf of a condominium association relative to defective window claims;

- Effectuated the appointment of a receiver, over the objections of the debtor, to complete the construction of a gas station and car wash serving as collateral for debtor's obligations;
- Quickly concluded a strict foreclosure of real property to allow the owner to replant his property and reclaim its agricultural tax treatment;
- Successfully defended a federal court action brought by a *pro se* plaintiff alleging various civil rights violations;
- Attained the judicial appointment of a bank officer to take control of all of its debtor's assets for purposes of liquidating the same, resulting in a six-figure settlement with the debtor;
- Assisted in obtaining and collecting upon a federal court summary judgment of nearly six million dollars against a debtor;
- Obtained a judicial decision awarding condominium dues and assessments against a condominium owner who claimed that the association's assessments were improper and illegal;
- Coordinated the appointment of Chapter128 Receiver over the objections of the owner of a golf club to enable the successful and timely turnaround of the business;
- Obtained a bankruptcy decision confirming that a lender's issuance of a 1099-C to a debtor after its write-off of debt is not treated under the law as a release of the obligation;
- Regularly involved in commercial liquidations, workout and receivership matters pertaining to loans secured by multi-tenant retail, office, industrial, and residential facilities.

Awards/Distinctions

- Selected for inclusion in *The Best Lawyers in America®,* Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law, Litigation–Bankruptcy, 2019–2023
- Selected for inclusion in 2013–2022 Wisconsin Super Lawyers, *Law & Politics* and *Milwaukee Magazine.*
- Selected for inclusion in 2008, 2009, 2010, 2011, and 2012 Wisconsin Super Lawyers Rising Stars, *Law & Politics* and *Milwaukee Magazine.*
- CALI Excellence for the Future Awards® for receiving the highest law school grade in Law and the Ethics of Lawyering, Federal Taxation of Estates, Gifts & Trusts, and Estate Planning.

Community Involvement

- Volunteer for the Milwaukee Justice Center

Education

- Marquette University Law School (J.D., *cum laude)*
- University of Wisconsin (B.A.)