



BEVERLY M. WEBER

PARTNER

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Beverly Weber is a partner in the firm's Corporate Services practice group with nearly 20 years of experience. She is committed to the success of her clients and handles contentious matters, primarily in Missouri and Kansas, at both the trial and appellate levels in state and federal court.

Her matters involve banking, real estate, consumer lending, creditors' rights, title insurance defense, probate litigation and business law, handling both the front-end transactional components as well as in litigation when relationships among parties break down. Further, Bev has extensive experience handling commercial loan transactions from origination through default and into litigation.

Bev has built her reputation speaking locally and nationally to industry members and clients, and for continuing legal education credit, in the areas of secured transactions, litigation trends, bankruptcy, creditors' rights, financial compliance and real estate titling.

BACKGROUND

Prior to joining Armstrong Teasdale, Bev was a shareholder at another Kansas City area firm.

EDUCATION

- University of Missouri-Kansas City School of Law (J.D., 2001)
- University of Evansville (B.A., 1998)
 - English Literature and Spanish

PROFESSIONAL ACTIVITIES

- The Missouri Bar (Vice Chair, Real Estate Practice and Procedure Committee, 2022-2023)
- Kansas Bar Association
- Kansas City Metropolitan Bar Association (Board Member)
- Missouri Bankers Association (Bank Counsel Advisory Board Member)
- Association for Women Lawyers of Greater Kansas City (Former Executive Committee Member; Past President)
- Association for Women Lawyers of Greater Kansas City Foundation (Mentor,

SERVICES AND INDUSTRIES

Appellate

Complex Commercial
Litigation

Debt Finance

Governance and Compliance

Insurance Coverage Litigation
Litigation

Real Estate

Financial Services and Banking

Real Estate, Development,
Construction

ADMISSIONS

Missouri

Kansas

U.S. District Court, Western
District of Missouri

U.S. District Court, District of
Kansas

2015-2019)

- Missouri Bankers Association (Former Women Bankers Committee Member)

CHARITABLE AND CIVIC INVOLVEMENT

- Red Hot Night, benefiting the Children's Mercy Research Institute (Board Member)
- American Heart Association Circle of Red, Kansas City
- Central Exchange Education Foundation (Former Executive Committee Member)
- Lucy's Kids for Peace (Co-founder)
- PEO International (Leawood Chapter)
- Rhein Benninghoven Elementary School (Former PTA Board Member)

ACCOLADES

- Kansas Chamber of Commerce, 2023 Leadership Kansas Class
- Missouri Lawyers Weekly Women's Justice Awards, General Practitioner (2022)
- Missouri/Kansas Super Lawyers® (2016-present)
- Kansas City Business Journal "Best of the Bar" (2010-present)
- Kansas City Business Journal "Women Who Mean Business" (2016)
- Missouri Lawyers Weekly Women's Justice Awards, Rising Star (2014)
- Association for Women Lawyers of Greater Kansas City President's Award Recipient

LANGUAGES

- Spanish

EXPERIENCE

Defense of Mortgage Trust in Quiet Title Action

Secured judgment in favor of mortgage trust in an action to quiet title brought by the alleged heir of the deceased owner of residential property located in Johnson County, Kansas. The plaintiff alleged that the deceased's signature on the mortgage was forged. Forgery was denied, as execution of the loan documents was notarized. Additionally, the deceased borrower knew or should have known the loan was signed based on the history of his account information and mail correspondence regarding the loan. Following a bench trial, the court entered judgment in favor of defendants finding the loan documents were signed by the plaintiff, before a notary public, and are valid and enforceable.

Judgment in Favor of Mortgage Trust Following Bench Trial

Secured judgment in favor of a mortgage trust in a foreclosure action in Johnson County, Kansas. The defendants, owners of residential property, asserted numerous affirmative defenses seeking to avoid foreclosure of the property. Following a bench

trial, the judge found in favor of the client on its claim of foreclosure and awarded all damages plus interest and attorneys' fees.

Obtained Defense Verdict in Jury Trial on Claim to Set Aside Real Estate Conveyance

Obtained a defense verdict in a Clay County, Missouri jury trial in favor of limited liability company client. The plaintiff sought a declaratory judgment to set aside a real estate conveyance on the basis that the seller lacked capacity to contract, was unduly influenced, and that the contract was unconscionable. Defendants asserted numerous counterclaims. The jury found in favor of defendants on plaintiff's claim to set aside the real estate transaction. The counterclaims were taken up with the judge following the trial. The judge ruled in favor of defendants on all counterclaims and awarded all damages plus interest and attorneys' fees.

Leveraged Bona Fide Lender Defense to Secure Summary Judgment for Client

Obtained summary judgment in the Missouri 23rd Judicial Circuit Court for a lender client regarding competing claims over property used as collateral for a loan, which was incorrectly identified in the deed. Used the bona fide lender defense to defeat plaintiff lender's argument that the description of the collateral property on the deed was mistakenly swapped; and that the plaintiff lender's failure to identify the correct property at its loan origination prevented the court from using its equitable powers to swap the collateral.

Counsel to Secured Lender in Commercial Restructuring of Multiple Loans

Served as counsel to secured lender in workout of numerous loans secured by real estate and properties located in Development District.

Counsel to National Mortgage Servicing Client Defending Alleged FCRA Violations

Served as counsel to client in defense of alleged Fair Credit Reporting Act (FCRA) violations involving assets purchased following bank failure via the FDIC.

Counsel to Insured Property Owner Defending Adverse Possession Claim

Served as counsel to insured under owner's policy in successfully affirming trial judgment denying adverse possession as to a permissive use easement.

Counsel to Insured Mortgagee Defeating Bankruptcy Trustee Avoidance Action

Served as counsel to insured under lender's policy successfully defeating bankruptcy trustee's lien avoidance adversary complaint.

Counsel to National Mortgage Servicer Establishing Enforcement Rights as to Successors in Interest and Post-Sale Remedies

Served as counsel to client in state court and appellate court setting case law regarding note-holder and assignee enforcement rights.

Counsel to National Property Data Lender

Served as counsel for compliance and litigation defense to national public corporation in connection with real property.

Counsel to National Mortgage Servicer Defending Consumer Protection Claims and Affirming on Appeal Second Trial Judge's Authority to Rule Conversely on Second Summary Judgment

Served as counsel to lender/servicer in defense of multi-count counterclaim for damages in context of foreclosure action, affirmed on appeal following differing decisions by original and successor trial judge.

Counsel to Insured Homeowner Defeating Claim to Strip Ownership

Served as counsel to insured under owner's policy to successfully protect property title, in state court and on appeal, from adverse claims by neighbor and lender.

Counsel to Land Engineer in Defense of Property Flooding Claims

Served as counsel to engineer in connection with damages claim for water runoff in development and appeal of writ of prohibition as to inverse condemnation claim.

Counsel for Multimillion-Dollar Commercial Real Estate Transaction

Served as borrower's counsel issuing borrower's opinion letters for several large commercial real estate transactions.

Trial Counsel on Breach of Contract Damages and Assignment of Contract, Affirmed on Appeal

Served as Plaintiff's counsel and lead trial counsel on damages claim for breach of contract and/or negligence and rights on assignment. Matter affirmed on appeal, per curiam.