

Kathleen S. McLeroy

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Overview

Kathy McLeroy has extensive experience resolving disputes as a litigator, mediator, and arbitrator. Kathy regularly represents creditors and parties in interest in bankruptcy cases and adversary proceedings in the bankruptcy courts of Florida as well as other states. As a trial lawyer, she has substantial experience representing creditors in disputes with debtors in all forums, including state court, federal court, bankruptcy court, and in arbitration proceedings. She works with judgment holders to enforce and collect large commercial judgments, both domestic and international.

She also represents commercial banks, mortgage holders, property owners, title insurers, and real estate developers in real property disputes and mortgage foreclosures. Clients seek her guidance on matters involving receivership law, and she serves as a real estate receiver and counsel for receivers.

Kathy earned her MBA and worked as a bank loan officer prior to attending law school. This experience informs her understanding of her banking clients' perspectives, processes, and business needs and goals, particularly when handling disputes, collections, and foreclosures.

In 2004, Kathy was certified by the Florida Supreme Court as a circuit civil and county court mediator. She is also certified to serve as a mediator in matters pending before the U.S. District Court for the Middle District of Florida, the U.S. District Court for the Southern District of Florida, the U.S. Bankruptcy Court for the Middle District of Florida, and the U.S. Bankruptcy Court for the Southern District of Florida. She mediates a variety of commercial disputes including commercial foreclosures, contract disputes, title disputes, and bankruptcy disputes. She is also qualified by the Florida Supreme Court to serve as a court-appointed arbitrator and is a member of the Academy of Court-Appointed Neutrals.

Experience

- Represented secured lenders and indenture trustees in workouts, foreclosures, and bankruptcy matters involving condominium projects, subdivisions, multifamily, commercial, office, and retail properties.
- Represented commercial landlords in disputes with tenants.
- Represented mortgage holders, property owners, title insurers, and real estate developers in real property disputes.

Representative Cases

- *In re Anchor Glass Container Corp.*, 375 B.R. 683 (Bankr. M.D.Fla.).
- *Townsend v. U.S. Dep't of Agric.*, No. 2:05-cv-00439, 2007 WL 177857 (M.D. Fla.).
- *Naimoli v. Admin. Comm. of the Anchor Glass Container Corp.*, No. 8:05-cv-01879, 2006 WL 2092638 (M.D. Fla.).
- *In re Anchor Glass Container Corp.*, 342 B.R. 878 (Bankr. M.D. Fla. 2005).
- *In re Anchor Glass Container Corp.*, 342 B.R. 872 (Bankr. M.D. Fla. 2005).
- *In re Apache Prods. Co.*, 311 B.R. 288 (Bankr. M.D.Fla. 2004).
- *Amendment to Rules Regulating The Florida Bar*, 797 So. 2d 551 (Fla. 2001).
- *FDIC v. Levine*, 763 So. 2d 344 (Fla. 4th DCA 1998).
- *FDIC v. Levine*, 680 So. 2d 536 (Fla. 4th DCA 1996).
- *Delfrate v. Letts*, No. 8:95-cv-00185, 1996 WL 420880 (M.D. Fla.).
- *FDIC v. Levine*, 651 So. 2d 134 (Fla. 4th DCA 1995).

Areas of Focus

Practices

- Alternative Dispute Resolution Services
- Real Property Litigation
- Banking, Commercial, and Consumer Finance
- Real Estate
- Health Care
- Litigation and Trials
- Creditors' Rights and Bankruptcy
- Technology
- Telecommunications

Industries

- Banking, Commercial, and Consumer Finance
- Real Estate
- Health Care
- Technology
- Telecommunications

- [Distressed Asset and Workout](#)
- [Title Insurance](#)
- [Distressed Health Care](#)
- [Institutional Investment and Finance](#)

Insights

09.15.2021

You Have a Judgment, Now What? Mastering the Art of Judgment Collection

Business Law Today

05.05.2020

Mediating E-Discovery Disputes: The Next Mediation Frontier

The Lawyer

04.02.2020

Bankruptcy Provisions in the CARES Act

03.19.2020

COVID-19: What a Lender Can Do to Prepare for the Inevitable Defaults

03.14.2018

The Next Frontier of Mediation: Mediating E-Discovery Issues

Business Law Today

11.19.2015

Our Mini-Theme: Pro Bono for Business Lawyers

08.27.2013

What You Must Know About Florida's Commercial Mortgage Foreclosure Process

01.03.2012

Nuts and Bolts of the Florida Commercial Mortgage Foreclosure Process

05.16.1993

When Does “Paid” Mean Paid?

05.06.1993

Rights of Guarantors and Co-makers in Foreclosures and Restructurings

01.01.1989

Lender Liability and Discretionary Lending: Putting the Good Faith Performance Standard in Perspective

12.14.1982

Interest Rate Futures: A Survey of Hedging Strategies

News

04.11.2024

Carlton Fields’ Kathleen McLeroy and Mac McCoy Receive Women Advocate Awards From ABA Business Law Section

10.02.2023

Kathleen McLeroy Quoted in the Florida Bar News: “Pro Bono Legal Services Committee Creates a Judicial Advisory Council”

07.20.2023

Kathleen McLeroy Appointed to Florida Supreme Court Committee on ADR Rules and Policy

06.13.2023

Carlton Fields Attorneys Named 2023 BTI Client Service All-Stars

04.07.2023

Kathleen McLeroy Interviewed on the American Bar Association’s To The Extent That... Podcast Series

01.03.2023

Pro Bono Leadership a Highlight of Glass Cutter Award Winner Kathleen McLeroy's Trailblazing Career

06.13.2022

Carlton Fields Shareholder Kathleen S. McLeroy Re-Appointed Co-Chair of The Florida Bar Pro Bono Legal Services Committee

04.04.2022

Carlton Fields' Kathleen S. McLeroy Receives Prestigious ABA Jean Allard Glass Cutter Award

10.26.2018

Kathleen McLeroy Authors Op-Ed Column for Tampa Bay Times: Elections Matter and Access to Justice Issues Should Count

07.09.2018

Super Lawyers Honors 81 Carlton Fields Attorneys on 2018 Florida "Super Lawyers" and "Rising Stars"

03.14.2018

The Next Frontier of Mediation: Meditating E-Discovery Issues

06.23.2017

Florida Super Lawyers Ranks 92 Carlton Fields Attorneys as 2017 "Super Lawyers" and "Rising Stars"

01.19.2017

Kathleen S. McLeroy Awarded Wm. Reece Smith Jr. Public Service Award

Recognition

- AV Rated by Martindale-Hubbell
- Women Business and Commercial Advocates Award, Business and Corporate Litigation Committee, American Bar Association Business Law Section (2024)
- BTI Client Service All-Stars (2023)

- Florida Super Lawyers, *Super Lawyers Magazine* (2012–2023)
- *The Best Lawyers in America*, Arbitration, Banking and Finance Law, Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law, Commercial Litigation (2019–2024)
- Jean Allard Glass Cutter Award, American Bar Association Business Law Section (2022)
- William Reece Smith Jr. Public Service Award, Stetson University College of Law (2017)
- Medal of Honor Award, The Florida Bar Foundation (2016)
- Leadership Award, The Florida Bar Standing Committee on Professionalism (2007)
- The Florida Bar President’s Pro Bono Service Award (2005)
- Service and Recognition Award, University of Tampa National Alumni Association (2004)
- Jimmy Kynes Award for Outstanding Pro Bono Service, Hillsborough County Bar Association (2004)
- Outstanding Pro Bono Service as Client Intake Volunteer, Hillsborough Attorney Volunteer Efforts Program (2001)
- President’s Award for Excellence, The Florida Bar Foundation (2001)

Professional & Community Involvement

- American Bar Association
 - Business Law Section
 - Vice Chair, Business and Corporate Litigation Committee (2021–present)
 - Co-Chair, Leadership Development Committee (2018–2021)
 - Vice Chair, Leadership Development Committee (2017–2018)
 - Business Law Today Editorial Board (2012–2017)
 - Section Council (2012–2016)
 - Committee on Committees (2015–2016)
 - Committee on Membership and Outreach (2014–2015)
 - Finance Committee (2012–2014)
 - Nominating Committee (2012)
 - Business Law Section Pro Bono Committee
 - Chair (2009–2012)
 - Vice Chair (2006–2009)
 - Standing Committee on Pro Bono
 - Business Law Section Liaison (2007–2010)
 - Commission on IOLTA (2008–2011)
 - National Public Service Award Selection Committee (2004–present)

- American Bar Foundation
 - Fellow
- Academy of Court-Appointed Neutrals
- The Florida Bar
 - Chair, Alternative Dispute Resolution Section (2022–present)
 - Vice Chair (2021–2022)
 - Treasurer (2020–2021)
 - Executive Council (2020–present)
- Co-Chair, Pro Bono Legal Services Committee (2012–present)
- Business Law Section
 - Co-Chair, Pro Bono Committee (2022–present)
 - Vice Chair (2021–2022)
 - Executive Council (2021–present)
- Vision 2016 Commission (2013–2016)
- Standing Committee on Professionalism (2003–2007)
 - Chair, Hoeveler Judicial Award Committee (2004–2005)
 - Chair, Law Faculty Award Subcommittee (2006–2007)
- Continuing Legal Education Committee (1992–2002)
 - Vice Chair (2001–2002)
- Grievance Committee 13A (1999–2002)
 - Chair (2000–2002)

- The Florida Bar Foundation
 - Board of Directors (1999–2010)
 - Executive Committee (2000–2010)
 - Endowment Trustee (2010–2015)
 - Immediate Past President (2009–2010)
 - President (2008–2009)
 - President-Elect (2007–2008)
 - Treasurer (2006–2007)
 - Secretary (2004–2006)
 - Ad Hoc IOTA Rules Committee (2000–2001)
 - Chair (2000–2001)
 - Development Committee (2003–2007)
 - Chair (2003–2007)
 - Vice Chair (2001–2003)
 - Investment Committee (1999–2002)
 - Legal Assistance to the Poor Grant Committee (1999–2008)
 - Chair (2007–2008)
 - Grant Program Committee (2003–2008)
 - Chair (2007–2008)
 - IOTA Operations Committee (2005–2008)
- Florida Commission on Access to Civil Justice (2014–2018)
 - Executive Committee (2016–2018)
 - Chair, Resource Evaluation Committee (2016–2018)
 - Access and Delivery of Legal Services Subcommittee (2014–2016)
- Florida Justice Technology Center
 - Chair and Board Member (2015–present)
- Florida Supreme Court Committee on Alternative Dispute Resolution Rules and Policy
- Hillsborough County Bar Association
 - Chair, Corporate Banking and Business Law Section (1993–1994)
 - Law Week Steering Committee (1996–1998)
- Tampa Bay Bankruptcy Bar Association
 - Board of Directors (1994–1998)
 - Treasurer (1996–1998)
 - Chair, Continuing Legal Education Committee (1994–1996)

- Bay Area Legal Services Inc.
 - Board of Directors (1994–1999, 2002–2007)
 - President (2007, 1998)
 - President-Elect (2006, 1997)
 - Treasurer (1995, 1996, 2005)
- Chief Justice's Advisory Committee for the 2009 Tobias Simon Pro Bono Award
 - Appointed by the Chief Justice of the Florida Supreme Court
- Ferguson-White American Inn of Court
 - Master (2008–present)
 - Barrister (2004–2008)
- University of Tampa Board of Counselors
 - Steering Committee (1994–2014)
 - Chair (2001–2002)
 - Vice Chair (2000–2001)
- University of Tampa Board of Trustees
 - Board Member (2001–2002)
 - Athletics Committee (2002–2010)

Speaking Engagements

- “Effective Use of Forensic Valuation Neutrals: Tips for More Effective Use of Business Valuation Experts in Business and Commercial Disputes,” ABA Business Law Section (April 5, 2024)
- “You Have a Judgment, Now What? Mastering the Art of Judgment Collection,” ABA Business Law Section (April 20, 2021)
- “Developing Leaders in Law Firms and Legal Departments,” ABA Business Law Section (December 14, 2020)
- “[COVID-19: What a Lender Can Do to Prepare for the Inevitable Defaults](#),” Carlton Fields (March 19, 2020)
- “Nuts and Bolts of Effective Leadership,” ABA Business Law Section Meeting, Washington, D.C. (September 13, 2019)
- “Mediating E-Discovery Issues in Post-Merger & Acquisition and Distressed Company Disputes,” ABA Business Law Section Meeting, Orlando, FL (April 13, 2018)
- “Business Law Pro Bono 2010: Best Ideas,” ABA Business Law Section’s Pro Bono Breakfast Program, San Francisco, CA (August 9, 2010)

- "The Nuts and Bolts of a Commercial Foreclosure Action," Foreclosure Litigation From a Lender's Perspective Seminar, Real Property Section of the St. Petersburg and Clearwater Bar Associations, St. Petersburg, FL (October 8, 2009)
- "Mortgage Foreclosure Intervention Projects," ABA Business Law Panel Discussion, ABA Annual Meeting, New York, NY

Pro Bono

Kathy has represented numerous individuals in pro bono matters, including landlord-tenant disputes, mortgage foreclosure actions, consumer matters, and collection matters.

For example, Kathy defended a mortgage foreclosure action against a 60-year-old grandmother who was the head of a household consisting of her daughter, her intellectually disabled adult son, and two grandchildren. The lender, an individual who had purchased the mortgage and note from a governmental entity, had begun charging excessive fees that were not provided for in the loan instruments. The lender began applying the mortgage payments to these fees rather than to principal and interest. The lender declared the loan in default and commenced a foreclosure proceeding. After 13 months of litigation, Kathy had the loan, which was at all times current but for the excessive fees, reinstated.

Credentials

Education

- Washington and Lee University School of Law (J.D., cum laude, 1990)
 - *Washington and Lee Law Review*
- Louisiana State University (MBA, summa cum laude, 1986)
- Louisiana State University (B.S., magna cum laude, 1982)

Bar Admissions

- Florida

Industry Specialization

Certifications

- Circuit Civil and County Court Mediator

Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Northern District of Florida
- U.S. District Court, Middle District of Florida
- U.S. District Court, Southern District of Florida
- U.S. Bankruptcy Court, Northern District of Florida
- U.S. Bankruptcy Court, Middle District of Florida
- U.S. Bankruptcy Court, Southern District of Florida

Background

- Kathy was a commercial loan officer and a consumer loan officer with Commercial National Bank (now Regions Bank) in Shreveport, Louisiana, prior to attending law school.
- She has served as an adjunct professor at the University of Tampa where she taught Advanced Business Law.