



## Joseph J. Trad

Member

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Joe Trad is a trusted advisor to financial institutions and businesses, known for his decades of experience in complex restructurings, workouts, and creditor recovery strategies across jurisdictions.

Having represented mostly creditors for decades, Joe is a lender's "go-to" choice for an attorney to handle its most troublesome restructurings and collections. Joe's practice includes representation of both financial institutions and private and publicly held businesses in the areas of loan workouts, restructurings, and foreclosures, and the prosecution of recovery from borrowers and guarantors. His engagements have included a variety of complex matters including Section 363 asset sales on behalf of both debtors and purchasers; negotiation, documentation, and obtaining approval of debtor-in-possession financing; cash collateral orders; and strategic counseling and negotiation of restructurings including Chapter 11 plans.

Joe pursues his clients' claims before state and federal courts and administrative agencies, and he has successfully tried cases for clients in many jurisdictions.

Committed to his community, Joe is a 1997 Leadership St. Louis graduate and has held various positions with several St. Louis nonprofit organizations including the American Heart Association and Ronald McDonald House.

Joe was selected for inclusion in Missouri & Kansas Super Lawyers® in 2005 and from 2013 to 2015, and is AV® Preeminent™ Peer Review Rated by Martindale-Hubbell. He has also been included in Best Lawyers® from 2012 to 2026 for Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization, as well as for Bankruptcy Litigation.

### Education

- Saint Louis University School of Law (J.D., 1982)
- Boston College (A.B., 1975)
  - Classical Studies

### Legal Background

- Legal intern, Hon. Joseph G. Stewart, Missouri Court of Appeals, Eastern District (1981-

### Services

- Bankruptcy & Insolvency
- Banking Litigation
- Securities Litigation

1982)

## Corporate Background

- Trad Carpet Stores, Milwaukee, WI (1975-1978)

## Professional Affiliations

- American Bar Association, Litigation Section
- American Bankruptcy Institute
- Bar Association of Metropolitan St. Louis

## Admissions

- U.S. Supreme Court
- Seventh Circuit, U.S. Court of Appeals
- Eighth Circuit, U.S. Court of Appeals
- Eastern District of Missouri, U.S. District Court
- Missouri Bar
- Illinois Bar

## Charitable & Civic Involvement

- American Heart Association, St. Louis Chapter (Board member and Development Council member, 1994-1998; Chairman, holiday card campaign, 1994-1996)
- Leadership St. Louis Class of 1997
- Committee member, Kids 'n' Clays, Ronald McDonald House

## Distinctions

- Recognized by *Missouri Lawyers Weekly* among attorneys to secure the largest reported plaintiff verdicts/judgments in the state (2014)
  - Recognized in the *National Law Journal's* "Big Money Wins of 2013"
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# Publications

January 18, 2022

**Court Again Upholds Missouri's Strict Standard for Setting Aside Foreclosure Sales**

August 14, 2020

**Illinois Trial Court Finds Mechanic's Liens Subordinate to Bank's Lien**

April 1, 2020

**CARES Act Enhances Eligibility for Small Businesses to Declare Bankruptcy**

March 18, 2020

**Insolvency Guide for Lenders, Landlords, Lessees, and Others Dealing with the COVID-19 Crisis**

January 2019

**Good News for Lenders: Missouri's Future Advance Deed of Trust Statute Can Cover Interest (But What about Late Fees?)**

July 2017

**Former Executives Beware: Some Chapter 11 Debtors Attempt to Treat Their Obligations to Current and Former Executives Differently**

April 2016

**U.S. Supreme Court Upholds Eighth Circuit Ruling that ECOA Does Not Apply to Spousal Guarantors**

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## Case Studies

### **\$30 Million Jury Verdict for Plaintiffs in Ponzi Scheme**

In a unanimous jury verdict, the Missouri Circuit Court for the County of Polk ordered defendant Eric Schmickle to pay \$30 million in punitive damages to the plaintiffs, Randy Gori and Barry Julian, in an investment fraud case. Lewis Rice attorney Joseph J. Trad represented the plaintiffs, partners of an Edwardsville, IL asbestos law firm, who lost a combined \$98,898 to Schmickle, an unlicensed commodities broker operating in Bolivar, MO. Schmickle was already ordered to reimburse actual damages under a summary judgment motion.

For about two years, Schmickle ran a commodity futures Ponzi scheme through Q Wealth Management and Aquinas SF LLC. He reported false profits on customer investments, induced future investments, and misappropriated funds. Defrauding at least 10 customers of at least \$4 million, Schmickle lost or misappropriated most of the funds for his business or personal use and paid fake returns using the funds of other customers. Plaintiffs sought punitive damages to hopefully deter others from committing similar offences.