



Thomas G. Wallrich

Member

Minneapolis

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Thomas concentrates his practice in the areas of commercial transactions, banking, bankruptcy, real estate finance, and development and commercial litigation. In the past 20 years, Tom has also developed a substantial practice in international trade in the regions of China, Mexico, and Canada

Tom's bankruptcy practice includes representing debtors, creditors, and committees in complex reorganization proceedings and workouts, as well as debt and equity restructurings. His banking practice is focused primarily on representation of community banks and regional banks in transaction documentation, participation agreements, regulatory matters, and debt restructuring transactions and litigation. Tom is also experienced in commercial transactions, including purchases and sales of businesses and significant import-export experience particularly in the Pacific Rim and Canada. His commercial dispute resolution experience includes significant litigation, non-litigation, and administrative representations before the International Trade Commission (ITC) and the United States Trade Representative (USTR).

Tom's real estate practice involves representation of commercial landlords in lease creation, lease disputes, property recovery, and bankruptcy matters. He also represents many commercial and residential developers in land use issues, governmental approval matters, subdivision of land, tax increment financing, sales, financing, and debt treatment and restructuring matters.

Tom has been named a "Super Lawyer" by Thomson Reuters for 15 consecutive years. He has also been named one of the Top 25 Super Lawyers for business restructuring and workouts. Tom is active in the Twins Cities community; he is a clinical instructor at the University of St. Thomas Law School, he serves his alma mater on the University of Minnesota, College of Liberal Arts Internship Board, and is also active in fundraising at Benilde/St. Margaret's Academy.

Experience

Provided and implemented strategic advice on multilateral and bilateral free trade agreements.

Initiated injury proceedings on behalf of trade associations and their members.

Conducted WTO litigation and provided advice and counsel about obligations under WTO agreements affecting goods and services.

Spearheaded trade remedy litigation for import transactions, including anti-dumping and countervailing duty investigations, global and country-specific safeguards.

Designed the legal structure for several United States/Mexico manufacturing and distribution networks.

Designed the legal structure for several United States/Canada manufacturing and distribution networks.

Designed a classification and valuation system for an international textile and sportswear manufacturer.

Designed the legal structure for a transformative, three-country manufacturing platform under NAFTA,

Practice Areas

- Bankruptcy, Insolvency & Restructuring
- China Practice
- Corporate
- Customs, Imports & Trade Remedies

Industry Sectors

- Real Estate & Construction

Education

- William Mitchell College of Law, J.D., 1990
- University of Minnesota at Minneapolis, B.A., 1987

Bar Admissions

- Minnesota

Court Admissions

- U.S. District Court - District of Minnesota
- U.S. Court of Appeals for the Eighth Circuit
- U.S. Supreme Court

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CAFTA, SFTA, and the USMCA proposed regulations.

Designed and managed response strategy on behalf of the largest importer of passenger car radial tires from China, which was the subject to a customs audit by U.S. Customs and Border Protection. The audit response resulted in a “no-violation” finding, a negative duty liability, and a duty refund to the importer of record.

Designed and managed response strategy on behalf of a Fortune 500 company subjected to a customs audit by U.S. Customs and Border Protection. The respondent company was engaged in the business of manufacturing and assembly of electronic instruments including hand held inventory control and barcode scanners. The audit involved more than 20,000 separate SKUs, product descriptions, and harmonized tariff code classifications.

Assisted a client in developing and implementing a duty drawback program by which the company can reclaim from the U.S. government duties it pays on components imported from China that are included in finished products exported to other countries.

Obtained a \$5.4 million summary judgment ruling in favor of a banking industry client, which was the plaintiff in a case seeking to enforce the prime obligation and personal guaranties executed by the owner of a first-stage crude oil refining business located in North Dakota. In obtaining summary judgment, we successfully overcame the defendant's argument that he had been fraudulently induced into the executing the guaranties. This result was unanimously affirmed by the Supreme Court of North Dakota.

Represented several large U.S. importers and manufacturers in NAFTA, CAFTA, and Singapore Free Trade Agreement and U.S. CBP audit and regulatory matters.

Represented several large U.S. importers in U.S. Customs and Border Protection Field Audits and regulatory matters.

Represented U.S.-based distillers and beverage companies in the development of China distribution agreements/distribution network, and on export matters.

Represented U.S.-based manufacturers in establishing manufacturing and warehousing facilities in Mexico and Canada.

Represented U.S.-based importers and distributors in exclusive distribution contracts with China manufacturers, and import/export matters in Mexico and Canada.

Represented U.S.-based importers and distributors in exclusive distribution contracts with China and India based manufacturers.

Represented U.S.-based tire and automobile parts importers and distributors in development of private label (private brand) products.