

Snell & Wilmer



Jonathan Kotter

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Main Bio

Jon Kotter's practice is focused on commercial finance from both a lender's and borrower's perspective. He regularly assists regional and national banks, private lenders, commercial borrowers and others in negotiating, structuring, documenting and working out a broad array of financial transactions, including real estate secured construction, bridge and permanent financing for office, multifamily, retail, hotel and other projects located across the United States. He is experienced in syndications, securities-backed lines of credit, tax increment financing, commercial mortgage-backed securities (CMBS), life insurance company and other permanent lending, letters of credit, subscription facilities, low-income housing and other tax credit based lending, and legal opinions. Jon also advises lenders on foreclosures and loan assignments/assumptions and related matters.

Representative Experience

- Representation of a fund as the lender of a real estate secured construction loan in excess of \$30MM
- Representation of a national bank in financing the acquisition and construction of capital improvements of independent living facilities located in multiple states
- Representation of a borrower in office construction financing from life insurance company lender in excess of \$30MM
- Representation of a national bank as administrative agent of syndicated \$100MM subscription line of credit
- Representation of national bank in the extension of a construction-to-perm office loan in excess of \$20MM
- Representation of multiple lenders in the extension and modification of securities-backed lines of credit
- Representation of a private lender in an extensive workout of a construction loan secured by real and personal property, including a hotel project subject to historic tax credit restrictions
- Representation of a national bank in its extension and modification of construction, term and equity bridge loans secured by affordable multifamily housing projects, borrower equity and other personal property collateral
- Representation of multiple CMBS borrowers for office projects across several states
- Representation of letter of credit issuer in regard to entering into a syndicated credit facility with a \$250MM letter of credit sublimit

- Representation of a national bank in the creation of a large personal property secured lending platform for employees of the bank's client

Education

- J. Reuben Clark Law School, Brigham Young University (J.D., *cum laude*)
 - Executive Editor, Brigham Young University Law Review
 - Dean's List
 - BYU Varsity Track and Cross Country Teams
- Brigham Young University (B.S., Business Management)
 - BYU Varsity Track and Cross Country Teams

Languages

- Italian

Professional Memberships & Activities

- State Bar of Utah
 - Banking and Finance Section Vice-Chair
- J. Reuben Clark Law Society
- BYU Management Society
- American Bar Association

Representative Presentations & Publications

- "Letters of Credit," Co-Presenter, Utah CLE Presentation (August 2018)
- "[Personal Property and the UCC: Secured Parties' Rights and the Remedies in Troubled Times](#)," Co-Author, Utah Banker (Issue 2, 2017)

Professional Recognition & Awards

- Utah's Legal Elite: Banking/Financial, Utah Business Magazine (2022)
- Mountain States Super Lawyers®, Rising Stars Edition, Banking (2021-2023)
- The Best Lawyers in America®: Ones to Watch, Banking and Finance Law (2023-2024)

Previous Professional Experience

- Utah Second District Court, Law Clerk (2012-2014)
- Morgan, Minnock, Rice & James, L.C., Law Clerk (2011)
- Utah Fourth District Court, Judicial Extern to Judge Samuel D. McVey (2010)

Bar Admissions

- Utah

Court Admissions

- Supreme Court of Utah