

JOE VANFLEET

Scoring Client Wins in Real Estate and Lending Disputes

by Sherry Karabin



PEORIA—Walk into attorney Joseph B. VanFleet's office and you'll likely be struck by the four 24-inch monitors on his desk.

"I use one monitor to constantly check the emails which come in and out," says VanFleet, a partner at Howard & Howard Attorneys PLLC. "Another monitor has the firm intranet on it. I use a third one for research and the other one will be open to whatever document I am working on at the moment. I have the same setup at home."

While it may be a bit uncommon, it does allow VanFleet to stay on top of any changes that could affect his cases, while helping to ensure that he provides the most efficient service to his clients, which he says is tied to the use of technology.

"People sometimes laugh at me because I have all these monitors, but it's all about providing the client with the best possible value for their money," says VanFleet, who focuses on real estate disputes, bank-related workouts and commercial litigation. "I don't consider myself tech savvy, but I do attend seminars and educate myself on the changes taking place. It is just part of the job."

Improving his delivery of the product is just one of the ways in which VanFleet strives to stay at the top of his game. He also surrounds himself with a high-quality team whose members bring differing perspectives to his cases.

"There are multiple components and sides to any case, and it's important to see all the angles," he says. "For example, I am extremely

conservative, so I have learned that I must have younger and more liberal members on my team. I do this because if I cannot understand the other side, I cannot overcome those arguments."

It's a strategy VanFleet has used to score a number of wins over the years, including one significant victory for his longtime client F&M Bank.

VanFleet represented the bank in its case against the Bloomington-based leaf and vacuum bag manufacturer Wildwood Industries. The Illinois company participated in a years-long Ponzi scheme that bilked 85 lenders out of more than \$200 million.

"We were one of the banks that loaned money to Wildwood along with providing them an operating line of credit," says Mike Holloway, senior vice president and senior loan officer at F&M Bank. "We were not owed as much as some of the creditors, but due to the size of our bank, it was significant.

"We were the only lender to get out whole, including our attorneys' fees," says Holloway. "Joe has handled a few other cases for us over the years, and we've come out whole on those as well.

"I went to high school with Joe, and he is one of the most intelligent people I know," Holloway says. "He is very articulate, and he knows how to make a case succinctly and with a lot of confidence."

PASSION FOR THE LAW

Born and raised in Galesburg, VanFleet first

became interested in the law in seventh grade at Churchill Junior High School.

"I was not the best student at the time," VanFleet says. "My social studies teacher sat me down one day and had me take a series of aptitude tests. He then informed me that I had the ability to do much better than I was doing.

"He inspired me to do better," he says. "Every year, this teacher also did a mock trial in his class. He appointed me to be the defense attorney, and I won the case. I was one of two students to play the defense attorney and win in the 40-year history of his class. My dad was the other one."

While his father was a mail carrier his entire life, VanFleet says his own career path was clear from the moment he won the mock trial.

After receiving a bachelor's degree in finance from the University of Illinois at Urbana-Champaign, he began law school at the university.

"I was admitted through the early application process, and I received significant financial assistance after I agreed to teach English to undergraduate students while I was attending law classes," VanFleet says.

"I could have chosen so many different practice areas, but I found I had an aptitude for cases involving money, so I decided that would be the way to go," he says.

After receiving his degree in 1990, he accepted a position as an associate in the Chicago office of Winston & Strawn.

"I was in the litigation department, and I



tried out a couple of different niche areas,” he says. “I handled white collar cases. I also worked on internal investigations with legendary lawyer Dan Webb.”

GOING IT ALONE

VanFleet stayed at Winston & Strawn for about seven years. While he learned a great deal, he decided to leave the year before he was up for partnership to start his own firm.

“I wanted to be the guy in charge, and the only way to do that was to run my own law office,” he says.

He founded the VanFleet Law Offices in Peoria on Feb. 13, 1998.

“At our smallest, we had three attorneys and at our largest, there were nine,” he says. “We primarily handled large banking and litigation matters.”

Larry Desideri, a partner at Winston & Strawn, says VanFleet was one of Winston & Strawn’s star associates.

“He was a very good attorney, a hard charger,” says Desideri. “He was very energetic and brought a high level of enthusiasm to the practice of law. It was clear he enjoyed what he was doing.

“We were sorry to see him go, and I personally regretted his leaving,” Desideri says. “Starting his own firm at such a young age was a gutsy move, but he did it and was quite successful.”

It was while running his own firm that he met his wife Shannon.

“My firm bought a skybox at the minor league baseball stadium in Peoria,” says VanFleet. “I shared the box with two clients, one of which was the sunglass company Maui Jim, where my wife’s best friend worked.

“Her friend invited her to a Willie Nelson/ Bob Dylan concert, which I attended. I introduced myself to her at the concert, and one of the attorneys in our skybox said, ‘You’re going to end up with her, aren’t you?’ The rest, as they say, is history.”

Today they live in Germantown Hills and have three children, Austin, 16, Jocelyn, who turns 13 in February and Ethan, 6.

A LONG-AWAITED MERGER

Although VanFleet’s gamble paid off and his firm was doing well, he eventually grew

tired of the many non-legal responsibilities associated with the practice. At the same time, he received several invitations from other firms seeking to merge.

One of the firms was Howard & Howard, his biggest competitor in the areas of banking and commercial litigation in downstate Illinois.

“When Howard & Howard first reached out, I was not ready to give up my independence,” he says. “But as time went on, I decided I wanted to focus more of my efforts on the practice of law.

“I knew Howard & Howard took an entrepreneurial approach, which meant I would not have to change the way I ran my practice.” The firms merged on Nov. 1, 2016.

Howard & Howard partner Leonard Sachs says the merger has been a positive for everyone involved.

“I met Joe in law school,” says Sachs, who serves as head of the firm’s labor and employment group. “He was dedicated, hard-working and a much better student than I was. I tried to get him to join us for years.

“What makes Joe so special is that not only is he a tremendous litigator but he also understands the business side of the practice of law. There is no one in this office more diligent

than Joe when it comes to keeping track of the time spent on a project. When Joe leaves for the day, his time has already been entered. He does not wait until the next day.

“He puts the greater good of the organization before his own ego,” says Sachs. “For example, recently I sent out an email seeking assistance on some research, and he was the first to respond even though he is not expected to do that type of work.”

VanFleet says he now focuses almost exclusively on commercial, real estate and bank-related litigation.

“I handle mechanics liens, construction litigation and foreclosure matters for banks,” he says. “It may not sound exciting on the surface, but I enjoy the variety.

“Rarely do I find myself doing the same things two days in a row. One day I may be helping a business negotiate a lease, the next day assisting a bank in deciding whether or not to foreclose, and the next day dealing with a property encroachment matter.”

RAISING THE STAKES

VanFleet says while he’s represented banks and lenders throughout his career, the stakes are now much higher for these businesses than when he first started practicing, especially for small community banks.

“I used to deal with issues that did not break the bank so to speak,” he says. “Now I find myself advising banks and other businesses on matters that, if not handled properly, could spell the end for the company.”

For example, VanFleet recently represented a small community bank from Illinois in a *qui tam* lawsuit filed by a whistleblower against 17 banks in the Northern District of Texas.

“The plaintiff was seeking millions and



VanFleet, wife Shannon, Ethan, 6, Jocelyn, 12, and Austin, 16, on Thanksgiving Day

millions of dollars from every bank,” he says. “While it would not crush banks like Chase and Bank of America, it was unlikely a small community bank could overcome the loss.

“There were over 60 lawyers involved in the case. There were so many lawyers that some had to wait outside the courtroom. We won our Rule 12(b)(6) motion to dismiss, which was a huge relief, especially for our client.”

His goal for banks is often to avoid a jury trial. “Juries are often not sympathetic to banks, so sometimes it’s best not to let things get that far.”

Although his focus has always been litigation, his first and only family law case was also memorable.

“It was a guardianship case. My client was fighting to get custody of her daughter back from her sister,” he says. “Her sister had a lot of money and hired a top lawyer. We were able to get her daughter back.

“It was very memorable because I was dealing with a very personal issue. The daughter is now grown up, but to this day I still get a Christmas card from the family, and their thank you card still hangs on my wall.”

IMPROVING LIVES OF YOUNG PEOPLE

Although VanFleet does not handle family law cases, he often volunteers with his wife at organizations that improve the lives of young people and their families.

VanFleet served on the board of Heart of Illinois United Way and is a former president of the board of Heart of Illinois Big Brothers Big Sisters.

“My wife and I are involved in youth-based charities,” he says. “She is a former school board president. Together we have sponsored numerous events in Central Illinois.”

He has also coached his children’s baseball and basketball teams.

Outside of his volunteer activities, he enjoys golf, creative writing and collecting fine wine and cigars.

At age 53, VanFleet says his life is in a great place. “I have no interest in changing a thing,” he says.

The president-elect of the Abraham Lincoln American Inns of Court says his main goal now and into the future is to keep up with banking regulations in Illinois.

“The laws are changing faster than when I first started practicing,” VanFleet says. “There is also a major difference in the views of the Obama administration and the current administration when it comes to banking laws. It’s hard to say what the future will hold, so I need to stay on top of it.” ■