



## David I. Cisar

Attorney

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Dave Cisar co-Chairs the Banking and Commercial Finance Section. He draws on his 35 years of experience to counsel businesses on governance, financing, contracting, real estate, acquisitions and strategic planning.

Dave has a strong focus on the Uniform Commercial Code (“UCC”) and represents financial institutions and businesses in all aspects of commercial finance and other commercial transactions including terms and conditions of sales, commercial loan agreements, inter-creditor agreements, participation agreements, syndicated loans, asset-based lending and other financing transactions. He has extensive experience with and frequently represents creditors in workouts, foreclosures, bankruptcy, creditors’ rights and related commercial (including UCC) litigation. He was active in the review of and in promoting the enactment in Wisconsin of numerous statutory revisions to the UCC, including UCC Revised Article 9 (2000), and the more recent enactment in Wisconsin of the 2010 amendments to UCC Article 9. He testified before state legislators with regard to passage of Revised Article 9 of the UCC and the repeal of UCC Article 6 (bulk sales) in Wisconsin. He authored the chapter, “Documents of Title and UCC Article 7” in the State Bar of Wisconsin publication, “Commercial and Consumer Transactions in Wisconsin.”

### Areas of Practice

- Banking and Commercial Finance
- Restructuring and Insolvency
- Commercial and Business Litigation
- Real Estate
- Real Estate Acquisition and Sale

### Education

- University of Wisconsin, J.D., 1982
- Ripon College, B.A., *magna cum laude*, *Phi Beta Kappa*, 1977

### Bar Admissions

- Wisconsin
- U.S. District Court, Eastern and Western Districts of Wisconsin
- U.S. Court of Appeals, 7th Circuit

### Presentations and Publications

- "How Should Courts “Fix” § 1191(c)(2)’s Disposable Income Commitment Period?" *ABI Journal*, July 2025
- "Administrative-Expense Payments: A Sure Thing, or a Vague Hope?" *ABI Journal* May 2024
- "Creditor Strategies in Subchapter V" *ABI Journal*, June 2022
- "Debt Recharacterization: Does State or Federal Law Apply?" *ABI Journal*, June 2021
- "Revised Rule 3002: Is Lack of Notice Grounds for a Late-Filed Claim?" *ABI Journal*, February 2020
- "Administrative Expense Priority of Post-Petition Lease Payments" *ABI Journal*, Feb. 2019
- "Emerging Issues: Residential PACE Loans and Bankruptcy" *ABI Journal*, Feb. 2018
- "Is *Dewsnup* Unravelling Due to Lien-Stripping Cases under § 1322(b)(2)?" *ABI Journal*, Feb. 2017
- "Use It or Lose It? Priority Disputes Over Deposit Accounts" *ABI Journal*, Feb. 2016
- "Post-Petition Application of Payments from Rent Collateral" *ABI Journal*, Feb. 2015
- "Applying § 362(d)(4)(A) to the Collapsed Debtor" *ABI Journal*, Feb. 2014

- “No Second Chances: Serial Filing Effectively Prohibited in Small Business Chapter 11s” *ABI Journal*, Feb. 2011
- “Withdrawing the Reference and its Strategic Application in Bankruptcy Litigation” *ABI Journal*, Feb. 2009
- “Secured Letters of Credit and the §502(b)(6) Cap on Lease Rejection Damages” *ABI Journal*, Feb. 2005.
- “Exclusive and Non-Exclusive IP Licenses and Executory Contract Assumption and Assignment: Does Exclusivity Matter?” *ABI Journal*, Feb. 2003
- “WARN Act Pre-emption Helps Secured Creditors” *ABI Journal*, Feb. 2000
- “The Enforceability of Dragnet Clauses” *ABI Journal*, Feb. 1999
- “The Floating Lien on Inventory and Accounts and the Improvement in Position Test: How Safe Is the §547 (C) (5) Safe Harbor?” *ABI Journal*, Dec./Jan. 1998.

## Professional and Civic Associations

- Milwaukee Bar Association
- Eastern District of Wisconsin Bar Association (EDWBA)
- American Bar Association (Business Law Section; Real Property, Trust and Estate Law Section; Senior Lawyers Division)
- State Bar of Wisconsin (Director, Business Law Section 2002-2008)
- American Bankruptcy Institute

## Honors and Accomplishments

- *The Best Lawyers in America*®, Banking and Finance (2007-2026), Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization (2009-2026), Litigation - Bankruptcy (2011-2026), Mortgage Banking Foreclosure Law (2025-2026)
- Best Lawyers® Litigation - Bankruptcy "Lawyer of the Year", Milwaukee (2021)
- Wisconsin Super Lawyers® (2006-2025)

## Community Involvement

- Ripon College Alumni Association, Board of Directors