

## John C. Holper

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### Practice Groups

Business & Commercial Litigation  
Construction & Real Estate

## Overview

John Holper is an experienced construction and real estate trial attorney. John has more than 30 years of experience representing commercial and residential owners, commercial landlords and tenants, lenders, business entities, developers, contractors, subcontractors, material suppliers, architects, and engineers. John works with his clients not only when a dispute arises, but also on the front end by applying his litigation experience to help draft and negotiate construction-related contracts in order to manage risk and avoid litigation whenever possible.

John possesses extensive knowledge in construction contract formation, review and disputes, construction defects, warranty issues, mechanic's liens, surety, payment and performance bonds, contractor licensing and governmental enforcement proceedings, insurance coverage disputes, landlord/tenant disputes, easements, boundary disputes, condemnation, and restrictive covenants. In addition to his construction and real estate practice, John has also litigated a variety of commercial disputes including matters involving shareholder disputes, creditor's remedies actions, and commercial breach of contract actions.

John's longstanding recognition on *Minnesota Monthly's* Top Lawyer list and the Minnesota Super Lawyers list, together with his AV rating for ability and ethical practice, underscore his respected standing in the legal profession. He has also been named to *The Best Lawyers in America*. John serves on Bassford Remele's board of directors.

## Education & Admissions

### Education

- Hamline University School of Law, J.D.
  - *Hamline Law Review*, member
- Michigan State University, B.S.

### Bar Admissions

- U.S. District Court, District of Minnesota
- U.S. District Court, District of Colorado
- U.S. District Court, District of North Dakota
- Minnesota

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## Experience

### Representative Construction Cases

John consistently obtains favorable outcomes for contractors, subcontractors, owners, and developers in connection with residential, multifamily, and commercial construction disputes, including the following:

- Successful representation of well-known restaurant to enforce the exercise of a lease extension. Court granted summary judgment in favor of client finding the landlord in breach of contract.
- Successful representation of multi-story apartment developer in recovering in excess of \$2 million on substantial construction defect claims against general contractor, multiple subcontractors, and design professionals.
- Successful representation of general contractor in the pursuit of a performance and payment bond claim against surety and principal.
- Successful representation of general contractor in defense of a United States Department of Labor prevailing wage and labor investigation.
- Successful representation of commercial property owner through trial and on appeal in connection with a construction defect and insurance coverage claim against a commercial roofing contractor. Client obtained jury verdict in excess of \$1 million.
- Successful representation of commercial property owner in connect with a declaratory judgment action seeking to establishment insurance coverage for damages from an unexpected roof collapse.
- Successful representation of general contractor in the prosecution of a South Dakota mechanic's lien claim and defense of a counterclaim alleging various construction defects.
- Successful representation of project developer in connection with a failed construction project and in the prosecution of a mortgage foreclosure action. Obtained summary judgment on behalf of the lender establishing the priority of its mortgage, authorizing the lender to foreclose its mortgage, and directing judgment in favor of the lender and against the borrower in an amount in excess of \$5 million.
- Successful representation of city residents in connection with claims against the city arising from the City's failure to properly maintain sewage infrastructure, which resulted in damage to residents' homes.
- Successful representation of construction project developer in the recovery of substantial damages from a general contractor who abandoned a multi-million-dollar construction project, and defended subcontractor payment claims.

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- Representation of national retailer and affiliated in multiple mechanic's lien, construction defect and payment disputes.
- Representation of numerous general contractors, and material suppliers in connection with the prosecution, defense and resolution of mechanic's lien, construction defect, payment insurance coverage and payment and performance bond disputes.
- Representation of several residential contractors in connection with the defense of Minnesota Department of Labor and Industry licensing investigations and administrative enforcement proceedings.
- Representation of numerous owners, developers, contractors, subcontractors and material suppliers in connection with the drafting and negotiation of a variety of construction contracts, purchase orders, architect agreements and engineering agreements.

### Representative Real Estate Cases

- Successful representation of residential seller in connection with a dispute with the purchaser over the contractual and statutory termination of a residential purchase agreement.
- Successful representation of apartment building owner in a contested eviction action.
- Successful representation of lender in connection with the sale of bank-owned real property and defense of a claimed right of first refusal by adjoining landowner.
- Successful representation of national retailer and affiliates in connection with condemnation proceedings.
- Successful representation of national retailer in defense of claims by a shopping center owner and competing tenant seeking to enforce restrictive use covenants contained in a Reciprocal Easement Agreement.
- Successful representation of individual purchaser of tax-forfeited property in connection with a challenge by a prior regarding the enforceability of purchase, and the applicability and scope of the tax forfeiture statute.
- Successful representation of broker in connection with the collection of commission.
- Successful representation of title insurance company in various matters including lien priority actions, defense of mechanic's liens, quiet title actions, easement enforcement actions, and foreclosure actions.

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### Publications

- *Applicability of the Freedom to Invest in Tomorrow's Workforce Act to the Minnesota Construction Industry*, author, Minnesota Builders Exchange and Associated General Contractors of Minnesota, October 2025
- *Construction Industry Economic Forecast for 2025*, co-author, Associated General Contractors of Minnesota, October 2024
- *Adapting to The Uncertainty of Construction Costs: Why Price Escalation Clauses Are More Vital Than Ever*, co-author, Associated General Contractors of Minnesota, July 2024
- *Price Escalation in Construction Projects: How to Protect Your Interests*, author, December 14, 2021

### Seminars

- *Strategies for Managing and Resolving Disputes*, moderator, Minnesota Real Estate Journal 18th Annual Construction Summit, January 29, 2026
- *Indemnification in Minnesota Construction*, co-presenter, Bassford Remele Key Provisions When Negotiating Your Contract, December 11, 2025
- *Delay and Price Escalation Provisions in Minnesota Construction Contracts*, presenter, Bassford Remele Key Provisions When Negotiating Your Contract, December 11, 2025
- *Mechanics Lien Foreclosure Action*, presenter, Minnesota Continuing Legal Education The Mechanic's Lien Toolkit, September 16, 2025
- *Ethical Traps in the Post-COVID Construction Industry*, co-presenter, Associated General Contractors 2025 Minnesota Construction Summit, February 19, 2025
- *Navigating Emerging Trends: ESOPs, Private Equity, and Financial Innovations*, co-presenter, Bassford Remele 2025 Annual Construction Law Summit, February 6, 2025
- *Strategies for Managing and Resolving Disputes*, presenter, Minnesota Real Estate Journal 17th Annual Construction Summit, January 23, 2025
- *Foreclosure of the Lien and Trial Considerations*, presenter, Bassford Remele Mechanic's Lien: A Primer, December 12, 2024
- *Estate Planning and Legal Issues for Real Estate Owners*, presenter, Minnesota Real Estate Journal Commercial Real Estate Investment Summit, November 14, 2024
- *Expect the Unexpected: How to Map Out, Manage and Mitigate Risk in Your Construction Project*, presenter, Law Firm Webinar, May 3, 2023

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- *Avoiding Disputes, Winning Disputes & Construction Finance*, presenter, Minnesota Real Estate Journal 15th Annual Construction Summit, January 23, 2023
- *A Comprehensive Guide to Mechanics' Liens in Minnesota*, presenter, Minnesota Continuing Legal Education, May 31, 2022
- *Mechanic's Liens and the Practical Implications for the Construction Lender*, presenter, Lorman Educational Services
- *Failed Residential Developments*, presenter, Minnesota State Bar Association Construction Law Section, 2008
- *Banking Litigation, Collection, Work-Out, Foreclosure and Bankruptcy Basics*, presenter, Lorman Educational, 2004
- *Avoiding the Potholes & Dodging the Quicksand – Arbitration Clauses in Construction Contracts Pros and Cons*, presenter, Construction Industry Seminar, 2004
- *Commercial Real Estate Financing in Minnesota*, presenter, 2001-2003

## Professional & Civic

### Bar Associations

- American Bar Association
- Minnesota State Bar Association
  - Construction Section
- Hennepin County Bar Association

### Professional Associations

- Associated General Contractors of Minnesota
- Minnesota Builders Exchange
- Housing First Minnesota

### Civic Involvement

- Woodbury Youth Coach
- Transfiguration Catholic Church and School, former Trustee
- Midland Hills Country Club, former member, Board of Directors

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## Accolades

### Honors & Awards

- Top Lawyers list, *Minnesota Monthly*, Construction Law, 2024; Construction Litigation, 2025
- *The Best Lawyers in America*®, Construction-Litigation, 2023-present; Construction Law, 2024-present; Real Estate Litigation, 2026
- Minnesota Super Lawyers list, *Super Lawyers*, 2011-present
- Rated AV Preeminent® by Martindale-Hubbell®