



CDA Agenda Item

Meeting Date: July 18, 2024

Agenda Item: Status of Pursuing Meeper Funds

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BACKGROUND

(Enter the who, what, when, where, why)

I asked Attorney Manthe to look into the possibility of pursuing any monetary funds from Liz Eversoll or Meeper LLC. This request originates from the Boy's request at the June 20, 2024 meeting. Attorney Manthe has investigated the possibility of obtaining any funds from Liz Eversoll or Meeper LLC. Below is Attorney Manthe's response:

"I had a bankruptcy attorney in my office review the various Meeper loan documents. Unfortunately, we do not believe the City can/should take any action based on the loan documents. The "secured promissory notes" refer to a general business security agreement which was not in the file. There are no uniform commercial code financing statements on file, which are required to perfect security interest. Since those were not filed, any interest in collateral would be speculative. Moreover, these entities have been dissolved for a few years now so there are no assets to recover from. Also, the statute of limitations is likely to be an issue if we were to take action. Finally, there are no personal guaranties, and without that, we cannot go after the owner, Liz Eversoll, without some evidence of wrongdoing. Given all of these factors, we believe that the City cannot do anything about the loans at this point."

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

At the June 20, 2024 meeting the CDA asked for Staff to investigate the possibility of pursuing funds related to Meeper LLC.

FINANCIAL IMPACT

(If none, state N/A)

N/A

STAFF RECOMMENDATION

At this time we don't have legal standing to attain funds from Liz Eversoll or Meeper LLC.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

N/A