

## Max S. Meckstroth

### Senior Counsel

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Milwaukee

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Max Meckstroth is a senior counsel in the firm's Commercial Litigation, Construction, and Antitrust & Competition Practices. He is a devoted advocate who stands ready to pursue and defend his clients' rights at all times. As an experienced litigator, Max prides himself on working closely with clients to understand their business objectives, identify and distill complex issues, and tackle disputes in a way that minimizes business disruption and financial uncertainty.

Max's practice focuses on complex commercial litigation matters, including sophisticated contract disputes, antitrust litigation, product liability actions, professional negligence cases, real estate litigation, and all facets of construction disputes and contracting. Max also has a robust creditors' rights practice, frequently representing lenders and servicers in high profile commercial and residential foreclosure actions, as well as other insolvency, bankruptcy, and debt collection proceedings.

Before joining Foley, Max clerked in the legal department at UnitedHealth Group's corporate headquarters in Minnetonka, Minnesota. Max gained valuable insights into the operations of one of the country's largest corporations and he was instilled with a unique, client-oriented perspective to the practice of law—something he incorporates as trusted outside counsel for his clients today.

### Awards and Recognition

- *Best Lawyers: Ones to Watch* – Commercial Litigation (2021-2025)
- *Best Lawyers: Ones to Watch* – Alternative Dispute Resolution (2024-2025)

### Affiliations

- Forum on Construction Law, American Bar Association
- Thomas E. Fairchild American Inn of Court (2017-2021)
- Eastern District of Wisconsin Bar Association
- Milwaukee Bar Association

## Community Involvement

- Board Member, City Year Milwaukee

## Presentations and Publications

- “Indemnification Applied: Lessons and Risk Management” (Milwaukee, WI 2024)
- “Understanding Indemnification: A Practical Approach” (Milwaukee, WI 2023)
- “Construction Contract Training” (Milwaukee, WI 2023)
- “Workouts: Traps for All Asset Classes & Unique Asset Class Concerns” (Dallas, TX 2023)
- “Don’t Let Borrowers or Guarantors Turn the Tables: Assessing and Avoiding Lender Liability Claims” (Milwaukee, WI 2021)
- Co-author, “Commercial and Consumer Transactions in Wisconsin,” Introduction to Letters of Credit, Chapter 5, Pinnacle, 3d ed. (2021)
- Author, “The Case Against Self-Representation in Capital Proceedings,” 99 MINN. L. REV. 1935 (2015)

## Practice Areas

- [Antitrust & Competition](#)
- [Commercial Litigation](#)
- [Construction](#)
- [Litigation](#)

## Education

- University of Minnesota Law School (J.D., magna cum laude, 2015)
  - Order of the Coif
  - Note and Comment Editor, *Minnesota Law Review*
- University of Wisconsin–Madison (B.A., with distinction, 2012)

## Admissions

- Wisconsin
- U.S. District Court for the Eastern District of Wisconsin
- U.S. District Court for the Western District of Wisconsin
- U.S. Court of Appeals for the 7th Circuit