



**Matthew J. Shea**  
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#### Practice Areas

Trust, Estate & Charitable Planning  
Family-Owned Business  
Fiduciary Litigation  
Agribusiness and Food

#### Professional Activities

American College of Trust & Estate Counsel (ACTEC), Fellow  
University of St. Thomas Law School, Adjunct Professor  
American Bar Association, member  
Hennepin County Bar Association, Probate Section, past chair, vice chair, and  
program director  
Minnesota State Bar Association, Probate & Trust Law Section, Legislative  
Committee  
Ramsey County Bar Association, member

#### Education

William Mitchell College of Law, J.D., *cum laude*  
Winona State University, B.A., *summa cum laude*

### Biography

Matt Shea works with families, executives, and business owners on estate planning, business and farm succession planning, estate and trust administration, fiduciary litigation, and international estate and tax planning. He helps clients achieve their estate planning goals and guides families through the estate settlement and administration process after they have lost a loved one. Matt is often brought into contested estates, trusts, guardianships and conservator proceedings to help resolve difficult and sensitive issues. He also helps families establish a legacy in the community through charitable planning and giving.

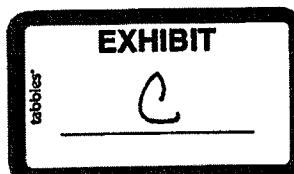
Matt has been an elected Fellow of ACTEC since 2011. ACTEC is a nation-wide organization of distinguished trusts and estates practitioners who elect Fellows based on peer nomination and the lawyer demonstrating the highest level of integrity, commitment to the profession, competence, and at least ten years of experience practicing exclusively as trusts and estates counselors. In addition, he is an adjunct professor at the University of St. Thomas School of Law where he teaches the course "Wills, Trusts, & Estates." Previously, he also taught "Estate Taxation & Estate Planning" and "Estate Planning and Estate Administration." In April 2013, he won the Dean's Award for Outstanding Teaching from the University of St. Thomas School of Law. In 2014, he also received the firm-wide Mooty Award in honor of excellent client service and business development.

With a mind for law and a passion for helping people, Matt knows the importance of developing cohesive client relationships and that trust isn't built overnight. He takes time getting to know his clients and listening to their needs. Clients say they appreciate Matt's genuine personality and approachability and they benefit from his extensive experience, engaging nature, and tenacity to get the job done. When he's not working or coaching his kids' hockey and basketball teams, Matt plays for the Troopers in the AHA and lends his legal expertise or a helping hand to those in need. He currently volunteers with the Children's Legacy Advisors and AIDS Project Estate Planning Clinic. He's a past member of Minneapolis Rotary Club No. 9, a board member of the Wildlife Rehabilitation Center, and a volunteer attorney with Wills for Heroes Minnesota and Catholic Charities' planned giving committee.

### Relevant Experience

#### *Business/Farm Succession Planning*

- Business succession plan for a family that owns a construction management company that involved the use of buy-sell agreements, Irrevocable Life Insurance Trusts (ILITs), and generation-skipping transfer trusts. The planning ensured continuity of company management and preservation of the client's wealth



- Worked with a family with a large agricultural/farming operation to develop a plan to pass the enterprise in a tax-favored way to the next generation. We used ILITs, grantor trusts, and other entities to help the clients reach their goals
- Planning for an individual who owns his own small business (along with the building where the business is housed) as well as various other business and real estate interests. The client's estate planning goals were achieved by forming a family limited partnership (FLP), multiple generation-skipping trusts, Limited Liability Companies (LLCs), and a business succession plan to pass the business and the various interests down to his children on a tax-favored basis

#### *Estate Planning*

- Assisted with the formulation and implementation of an estate plan for a client with assets exceeding \$600 million, consisting mainly of various publicly traded companies. The plan used multiple irrevocable trusts, Grantor-Retained Annuity Trusts (GRATs), a sale to an intentionally defective grantor trust (IDGT), generation-skipping trusts, and a family limited partnership (FLP) to minimize the federal and state estate tax and Generation-Skipping Transfer tax that will be due upon the client's death
- Worked with a family office in the formation and implementation of a South Dakota Private Trust Company to serve as trustee of the various family trusts

#### *Charitable Legacy Planning*

- Formulated an estate plan for a family with \$100 million in assets mainly held in a closely held company. The plan used various generation-skipping transfer trusts, ILITs, and charitable trusts, to achieve this client's goals of minimizing estate taxes, ensuring his families long-term financial stability, and establishing a legacy in the community
- Assisted a family with setting up a large private foundation in order to accomplish their charitable intentions

#### *Estate and Trust Administration*

- Helped a family after the untimely loss of the patriarch of the family navigate the often complex and confusing estate administrative process. The advice helped the family with the probate and estate settlement process; prepared estate, gift, and fiduciary income tax returns; and worked to resolve trust and estate controversies
- Administered an estate worth approximately \$50 million by setting up and funding charitable trusts, trusts for the benefit of the surviving spouse, and children's trusts, filing the estate tax returns, and insuring that the estate is passed to the intended beneficiaries in an orderly fashion
- Represented a corporate fiduciary who inherited an estate from an individual fiduciary that mismanaged the estate

#### *Tax Controversy and Fiduciary Litigation*

- Defended and advised a client on income residency issues on an audit with the Minnesota Department of Revenue
- Resolved a tax controversy with the IRS for a client who had some misunderstanding on the applicability of transfer taxes
- Settled a dispute between a surviving spouse who was not the biological parent of the decedent's surviving children where the decedent was not able to implement his estate plan before he died
- Litigated a matter for a corporate trustee that was defending itself from unfounded accusations from a disgruntled beneficiary who was upset with his share from the trust

#### **Presentations**

- "Protecting and Preserving Your Client's Business Assets," Minnesota Continuing Legal Education, December 2015
- "Advanced Estate Freeze Techniques," Financial Planning Association of Minnesota Symposium, November 3, 2015
- "Federal and Minnesota Estate Tax Update," co-presenter, MAPA Conference, October 2014

- “When Your Clients Are Not the Cleavers, Estate Planning for Non-Traditional Families,” co-presenter, Annual FPA MN Symposium, October 2014
- “Fundamentals of Revocable Trust Planning,” course chair and presenter, Minnesota Continuing Legal Education, October 2014
- “Dual Residency: What You Need to Know,” speaker, Sandvold and Associates seminar, July 2014
- “Business Succession Planning,” keynote speaker, Great Plains Federal Tax Institute, November 2012
- “Effective Estate Planning in Business Families,” speaker, University of St. Thomas Breakfast Series, November 2012
- “Protecting and Preserving Your Client’s Business Assets: Estate and Succession Planning for Business Owners!” presenter, WebEx for Securian Financial Services advisors, October 2012
- “The Ticking Clock: How Smaller Estates Can Still Use the 2012 Gift Tax Exclusion,” co-presenter, Hennepin County Bar Association, Probate and Trust Law section, October 22, 2012
- “Transfer Tax Planning: Current Developments and New Opportunities,” co-presenter, 30th Annual MNCPA Estate & Personal Financial Planning Conference, June 18, 2012
- “How to Read Trusts,” McGladrey, 2012
- “Estate Planning for Business Owners,” Minnesota Continuing Legal Education, 2011
- “Planning & Drafting to Succeed,” Minnesota Continuing Legal Education, 2011
- “Family & Closely Held Business Conference,” Minnesota Continuing Legal Education, 2011
- “Heckerling Update,” Hennepin County Bar Association, 2011
- “Estate Planning for Second Marriages,” Arrowhead Estate Planning Counsel, 2011
- “Real Estate Issues in Estate Planning & Estate Administration, Minnesota Paralegal Association, 2010 & 2011
- “Second Marriage Estate Planning,” 36<sup>th</sup> Annual Probate & Trust Law Section Conference, 2010
- “Interpreting and Applying the Final Regulations under Section 2053—When is a Deduction Really a Deduction for Estate Tax Purposes?” 36<sup>th</sup> Annual Probate & Trust Law Section Conference, 2010
- “Advanced Estate Planning Issues: 2053 Regulations,” Minnesota Continuing Legal Education, 2010
- “Estate & Succession Planning for Business Owners,” Ramsey County Bar Association, 2010
- “Basic Will & Trust Drafting,” Minnesota Continuing Legal Education, 2010
- “Estate Tax Update,” Hennepin County Bar Association, 2010
- “Estate Planning for Second Marriages,” Minnesota Continuing Legal Education, 2010
- “Ethical Potpourri,” Minnesota Continuing Legal Education, 2009
- “Minnesota Estate Administration Deskbook,” Minnesota Continuing Legal Education, 2007-2009
- “Fundamentals of Probate Practice,” Minnesota Continuing Legal Education, 2007-2009
- “Heckerling Update” HCBA, RCBA, and the Mpls and St. Paul Estate Planning Counsels, 2009
- “The New Tax-Preparer Rules,” Minnesota Continuing Legal Education, 2009
- “Probate Problems—Insolvent Estates,” Hennepin County Bar Association, 2007
- “Commercial Real Estate Transactions,” HalfMoon, LLC, 2005
- “Marital Deduction Deskbook,” Minnesota Continuing Legal Education, 2004

#### **Publications**

- *Estate Planning Matters!*, coauthor, Spring 2014
- “Inside the Minds: International Estate Planning Strategies,” *Aspatore Books (a Thomson & Reuters Company)*, 2011

#### **Bar Admissions**

- North Dakota, 2015
- Minnesota, 2001
- U.S. District Court, District of Minnesota, 2001

#### **Honors & Distinctions**

- American College of Trusts and Estates Council (ACTEC), Fellow
- “Minnesota Super Lawyer,” Thomson Reuters, 2014-2016
- “Minnesota Rising Star,” Thomson Reuters, 2005, 2007-2013

- “Great Plains Super Lawyer,” Thomson Reuters, 2016
- Dean’s Award for Outstanding Teaching, University of St. Thomas School of Law, 2013
- Mooty Award, 2014

**Community Involvement**

- Children’s Legacy Advisors
- Minneapolis Rotary Club No. 9, past member
- Wildlife Rehabilitation Center, past board member, vice president
- Minnesota AIDS Project Estate Planning Clinic, clinic coordinator
- Legal Access Point Clinic, volunteer attorney
- Catholic Charities, planned giving committee
- Legal Aid Campaign, committee member
- Minnesota Dental Foundation, past board member
- St. Thomas School of Law, mentor for students
- United Way, volunteer
- William Mitchell College of Law, mentor for students
- Wills for Heroes Minnesota, volunteer attorney
- The Foundation of Children’s Hospitals and Clinics of Minnesota



**Brian A. Dillon**  
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#### Practice Areas

Litigation  
Complex Investigations  
Government Relations  
Health Law  
Nonprofit & Tax-exempt Organizations  
IP Litigation  
Financial Services Litigation  
Information Security & Privacy

#### Professional Activities

Minnesota State Bar Association  
Wisconsin State Bar Association  
Federal Bar Association  
American Bar Association  
Hennepin County Bar Association  
Judicial intern, Wisconsin Supreme Court

#### Education

University of Wisconsin Law School, J.D., *with honors*  
University of Notre Dame, B.A. in economics and environmental science,  
*with honors, Phi Beta Kappa*

#### Biography

Brian Dillon concentrates his practice on complex business litigation, trusts and estates litigation, and administrative and regulatory defense. Clients value Brian's diverse range of litigation expertise, which gives him a broad legal perspective that is unmatched by most of his peers.

In complex business litigation, Brian specializes in resolving shareholder disputes and other disputes among closely held and family-owned business owners. Brian regularly advises businesses and their officers, directors and shareholders involved in disputes over corporate governance, treatment of minority shareholders, use and misuse of corporate funds, and business succession plans. Brian has extensive experience prosecuting and defending involving claims of fraud, embezzlement, unfair competition, and breach of fiduciary duty. Brian's clients in this area come from all types of industries and include product manufacturers, financial service companies, IT service providers, software developers, health care companies, government contractors, and real estate developers.

Brian also practices extensively in probate and U.S. Tax Court, helping to resolve disputes over the administration of trusts or estates, will contests, and matters of guardianship and conservatorship. Brian's deep familiarity with probate and U.S. Tax Court procedure ensures that his clients' interests are protected, and his down-to-earth manner comforts and supports clients through these matters, which are often charged with emotion.

In the administrative and regulatory space, Brian helps clients conduct internal investigations and respond to external ones. He defends clients who are subject to government enforcement and licensing actions, and he helps them develop and implement effective compliance programs. Brian also has substantial expertise in state and federal campaign finance laws and is regularly called upon to advise nonprofit advocacy organizations on political advocacy campaigns.

Brian is a co-chair of Gray Plant Mooty's Business Litigation Group and E-Discovery team. He helps clients develop document retention policies and procedures that are appropriate for their business needs and is regularly called upon to help navigate the increasingly expensive electronic discovery process in a creative and cost-effective manner.

Before joining Gray Plant Mooty, Brian served as an assistant attorney general in the Minnesota Attorney General's Office, where he prosecuted cases under Minnesota's health, consumer protection, financial services, and antitrust laws. Brian is a Wisconsin native and regularly practices in Wisconsin courts.

Outside of work, Brian enjoys recreational sports of all kinds, fishing, backpacking, and spending time with his family.

### **Relevant Experience**

#### **Complex business litigation**

- Represented majority owners of a product manufacturer in dispute among shareholders involving claims of minority shareholder oppression and breach of fiduciary duty, culminating in a six-day jury trial that ultimately reconsolidated ownership of the entity in its majority owners.
- Represented majority owners of a grain elevator company in dispute among shareholders involving claims of fraud, embezzlement, minority shareholder oppression, and breach of fiduciary duty that ultimately reconsolidated ownership of the entity in its majority owners.
- Represented owner of an ethanol plant in a dispute with its prior owners involving claims of breach of fiduciary duty and improper squeeze-out of minority owners.
- Represented a radio broadcasting company in a civil fraud and embezzlement action against former bookkeeper, resulting in a favorable judgment of \$1.5 million and an additional restitution order in connection with a related criminal action.
- Represented court-appointed receiver of companies used to operate a Ponzi-scheme in an effort to obtain relief for defrauded investors, asserting claims primarily under the Uniform Fraudulent Transfer Act.
- Represented franchisor in dispute with franchisee involving alleging wrongful termination of franchise agreement between the parties and violation of the Minnesota Franchise Act, culminating in three-day arbitration.
- Represented livestock breeder in claims arising from a dog attack, culminating in two-day trial and successful jury verdict.

#### **Trusts and estates litigation**

- Represented personal representative of an estate in petition for redetermination of deficiencies in federal estate tax involving disputes over transfers during life, debts of the decedent, and expenses and property not subject to tax, resulting in favorable settlement.
- Represented beneficiary of a trust in claims against trustees seeking removal of trustees for breach of fiduciary duty and unfitness to effectively administer the trust.
- Represented daughter of a decedent in a successful will contest, resulting in favorable settlement after establishing through extrinsic evidence that the will did not reflect the true intent of the decedent.
- Represented estate of decedent in an action against the decedent's former business partner in action to enforce contractual rights between the parties and for breach of fiduciary duty.

#### **Administrative and regulatory defense**

- Represented government and nongovernment entities in complex litigation and investigations involving alleged violations of the False Claims Act, state and federal health care regulations, false advertising and fair trade practice regulations, government contracting regulations, and campaign finance regulations
- Represented a nonprofit corporation in appeal of a state agency's decision to deny grant funding, resulting in a favorable judgment of \$875,000
- Represented board of directors of a large insurance company in an internal investigation over a troubled development project, conducting numerous witness interviews and overseeing the review of some 1.2 million emails over two month period.
- Represented non-profit political advocacy organizations in cases involving claims under Minnesota's Fair Campaign Practices Act.
- Represented a medical imaging company in a civil dispute alleging Stark and Anti-Kickback violations
- Represented financial services company in responding to numerous investigations by the Minnesota Department of Commerce and Attorney General's Office.
- Represented general contractor in responding to numerous investigations by the Minnesota Department of Labor and Industry
- Represented bullion coin dealer in responding to numerous investigations by the Minnesota Department of Commerce.

**Pro bono matters**

- Volunteer attorney for the Minnesota Advocates, obtaining grants of asylum for African immigrants on the grounds of political, gender, and social group persecution
- Volunteer attorney for the Children's Law Center, representing children in CHIPS (Child in Need of Protection or Services) and related proceedings.
- Volunteer attorney for the Volunteer Lawyers Network, regularly staffing the self-help center at the Hennepin County Government Center.

**Presentations**

- "The Estate Planning Probate & Trust Law 50," presenter, Minnesota CLE, September 24, 2014
- "The Federal Trade Commission Act & Privacy Protections," presenter, Minnesota CLE, Legal Guide to Privacy and Data Security, August 18, 2014
- "The Litigator's Duty of Technical Competence: Predictive Coding—Ethics, Adoption, and Defensibility," panelist, Minnesota CLE, May 14, 2014
- "Responding to Government Investigations: A Practical Anatomy," panelist, GPM White Collar Roundtable, October 30, 2012
- "An Insider's View of Health Care Fraud Enforcement: What's on the Radar of State and Federal Agencies and Private Litigants," panelist, GPM 16th Annual Health Law Conference, July 2012
- "Priorities at the U.S. Attorney's Office Under the New Administration—A Conversation with New U.S. Attorney B. Todd Jones," panelist, September 2009

**Publications**

- "Preparation for Minnesota Federal and State Discovery Conferences: A Practical Approach," coauthor, *William Mitchell Law Review*, April 10, 2014
- "Rules of Civil Procedure Continue to Adapt to the Realities of Electronic Discovery," *GPM Litigation Update*, December 30, 2013
- "FTC Action May Turn Traditional Concepts of Privacy Enforcement and Franchise Law On Their Heads," *GPM Privacy Alert*, December 17, 2013
- "2013 Legislature Adopts Important Amendments to Minnesota Campaign Finance Laws," *GPM Nonprofit Alert*, July 16, 2013
- "The Minnesota False Claims Act: Expanded to Conform to Its Federal Counterpart and Maximize Medicaid Fraud Recoveries," *GPM Litigation Update*, April 24, 2013
- "The Minnesota False Claims Act—A Look Back and a Look Forward," *Minnesota Physician*, August 2012
- "Stepped Up Efforts Under the False Claims Act Lead to Large Recoveries," coauthor, *GPM Litigation Update*, September 21, 2011
- "What Does *Citizens United v. FEC* Mean for Minnesotans?," *GPM Nonprofit Alert*, February 2010
- "Minnesota Regulators Expected to Pass False Claims Act," *Health Law Newsletter*, Winter 2009
- "The Department of Justice Under President Obama and Attorney General Holder: Priorities and Expectations," *White Collar Update*, Winter 2009
- "Quality of Care as a Basis for False Claims Act Liability: Is the Proof Insurmountable?," coauthor, *The Sedona Conference Journal*, Fall 2008

**Bar Admissions**

- Minnesota and Wisconsin
- U.S. District Court, District of Minnesota
- U.S. District Court, District of Wisconsin
- U.S. Tax Court

**Honors and Distinctions**

- "Minnesota Rising Star," Thomson Reuters, 2012-2013
- "Minnesota Super Lawyer®," Thomson/Reuters, 2016
- "North Star Lawyers," Minnesota State Bar Association, 2015

**Community Involvement**

- Minnesota Loan Repayment Assistance Program (LRAP), board member, former board president
- The Advocates for Human Rights, volunteer attorney
- Minnesota Diversity In Practice, volunteer attorney mentor
- Dane County Court Appointed Special Advocates (CASA), former board president





**Nevin R. Harwood**  
Of Counsel  
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#### **Practice Areas**

Advertising & Promotions Law  
Business Law Transactions  
Entrepreneurial Services  
Mergers & Acquisitions

#### **Professional Activities**

Minnesota State Bar Association  
Hennepin County Bar Association  
District of Columbia Bar Association

#### **Education**

Georgetown University School of Law, LL.M. in taxation, 1977  
Seattle University School of Law, J.D., *with distinction*, 1974  
University of Missouri, B.A., 1968

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### **Biography**

Nevin Harwood focuses on business law in the areas of mergers and acquisitions, corporate, partnership, limited liability company law, and related matters. He frequently serves as outside general counsel for a wide variety of businesses, from start-up ventures to mature public corporations.

Nevin advises and has advised clients in a wide range of industries, including manufacturing, distribution, architecture, advertising, retail and wholesale sales, health care, licensing, computer hardware and software, entertainment, restaurants, real estate development, professional services, photography, catalogue sales, nonprofit entities, community organizations and a variety of others.

He also acts as personal legal advisor to a number of business owners and individuals, and assists with their legal needs relating to matters such as estate planning, charitable foundations, and family and other business transitions.

### **Relevant Experience**

- Numerous business sales, purchases, mergers, and spin-offs
- Outside general counsel to a public company that was taken private and subsequently acquired by a strategic buyer in the communications and entertainment media industry
- Extensive experience as outside general counsel to businesses in the design, manufacture, and distribution of products, both domestically and internationally
- Financing and recapitalization of start-up, mid-growth, and mature businesses
- General counsel and advisor to a variety of businesses, including architectural firms, advertising agencies, photographic studios, talent search firms, medical doctors, recording studios, restaurants, nightclubs, publishers, marinas, sales representatives, distributors, retail stores, and hardware and software companies
- Representation of real estate developers, brokers, and construction companies
- Board advisor regarding corporate governance and related matters
- Employment arrangements, separations, and related matters
- Legal advisor to individuals and business owners

### **Honors and Distinctions**

- "North Star Lawyers," Minnesota State Bar Association, 2012

### **Community Involvement**

- Minnesota Children's Museum, legal advisor, founding Chairperson and past board member
- Seattle University School of Law, Board of Visitors, past member
- The Jeremiah Program, legal advisor, Minneapolis/St. Paul Community Board of Trustees, past Chair and member of Executive Committee; National Board of Trustees, former member
- The Basilica of St. Mary, St. Vincent de Paul Society, member

- Full Cycle, an umbrella entity of the Pillsbury United Communities, Advisory Board member



### Susan Gaertner

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### Practice Areas

Business Litigation  
Complex Investigations  
White Collar Defense  
Health Law  
Trust & Estate Litigation

### Professional Activities

American Bar Association, Criminal Justice Section, advisory board and past vice chair  
American College of Trial Lawyers  
Minnesota County Attorneys Association, board member and past president  
National District Attorneys Association, board of directors

### Education

University of Minnesota Law School, J.D., *cum laude*, 1980  
Minnesota Law Review  
Order of the Coif  
University of Minnesota-Duluth, B.A., Political Science, *summa cum laude*

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## Biography

As cochair of Gray Plant Mooty's Investigation and White Collar Defense team, Susan Gaertner represents companies and individuals facing federal and state court enforcement actions, and she conducts internal investigations when allegations of misconduct are raised.

Susan's practice spans a wide range of white collar matters, including allegations of mail fraud, wire fraud, and visa fraud. She also assists clients with civil and criminal tax matters in state and federal jurisdictions, including foreign bank account disclosure filings and issues relating to unreported income. In addition, her experience includes defending religious and other nonprofit organizations facing both internal and external investigations, with a particular focus on allegations of sexual misconduct.

Susan is an experienced trial attorney, having served as Ramsey County Attorney from 1995 to 2011. She was only the fourth person to hold the office since 1933 and was the first woman to hold the office. Susan took a hands-on approach and successfully prosecuted many high-profile and complex cases in civil and criminal court. She previously served as assistant county attorney for 10 years, successfully trying scores of cases to a jury. In recognition of Susan's trial expertise, she has been admitted into the American College of Trial Lawyers.

With her experience managing the myriad civil litigation and advisory practice challenges faced by a major metropolitan county, Susan understands the impact that investigations and litigation have on an organization. Her experience allows her to create solutions to legal problems and ensure they are provided in a cost-effective manner, whether it is done in-house or through outside counsel.

Susan has also counseled health care providers on issues related to health care fraud and regulatory enforcement. She has represented health care professionals in district court and licensing board matters, and before the United States Drug Enforcement Administration. As a member of the firm's Agribusiness and Food team, Susan also assists clients with food safety issues and regulatory enforcement.

Susan previously worked as a criminal defense attorney for the William Mauzy Law Office and served as a law clerk for the Honorable Gerald W. Heaney of the U.S. Court of Appeals for the Eighth Circuit.

## Publications

- "How This Former Prosecutor Views the New FCPA Guidance," *Gray Plant Mooty Litigation Update*, November 26, 2012
- "Drug Theft on the Rise: Best Practices for Health Care Providers," *Gray Plant Mooty Health Law Alert*, April 23, 2012

- Agribusiness Alert: Authorities Increase Enforcement and Prosecutions under Federal and State Environmental Laws—The Corn Plus Example,” coauthor, *Gray Plant Mooty Agribusiness Alert*, November 14, 2011
- “Adapting to New Eyewitness Identification Procedures,” chapter author, *Reforming Eyewitness Identification Procedures to Strengthen Prosecutions*, Thomson Reuters/Aspatore, 2010
- “Successful Eyewitness Identification Reform: Ramsey County’s Blind Sequential Lineup Protocol,” *Police Chief Magazine*, April 2009
- “Three Strikes Against Juvenile Crime: Prevention, Intervention, Detention,” *The Prosecutor*, November/December 1996

#### **Presentations**

- “The Latest Developments in Foreign Corrupt Practices Act Compliance and Risk Management,” 2013 Business Law Institute, May 8, 2013
- “Medication Thefts: Prevention, Investigation, Reporting and Best Practices,” Aging Services of Minnesota 2013 Institute, February 8, 2013
- “Responding to Government Investigations: A Practical Anatomy,” panelist, GPM White Collar Roundtable, October 30, 2012
- “Crisis Management for the Health Care Provider: Successfully Navigating the Law and Public Relations,” March 8, 2012 and September 19, 2012
- “Maintaining Control of Controlled Substances: Drug Diversion Prevention and Enforcement Issues,” presenter, Care Providers of Minnesota 2012 Assisted Living & Senior Housing Summit, August 22, 2012
- “An Insider’s View of Health Care Fraud Enforcement: What’s on the Radar of State and Federal Agencies and on the Radar of State and Federal Agencies and Private Litigants,” July 19, 2012
- “Controlled Substances and Enforcement: Drug Diversion Reporting Requirements,” presenter, Aging Services of Minnesota Institute, February 8, 2012
- “Maintaining Control of Controlled Substances: Drug Diversion Prevention and Enforcement Issues,” presenter, GPM Health Law Seminar, July 14, 2011
- “Government Investigations: The Tricks, Traps, and Technicalities,” panelist, GPM White Collar Roundtable, April 14, 2011
- “Human Trafficking: Today’s Hidden Slavery,” 41<sup>st</sup> Annual Criminal Justice Institute, Bloomington, MN, August 22, 2006
- “Progress in Combating Domestic Abuse,” Symposium on Domestic Violence, St. Paul, MN, September 9, 2005
- “The Sudafed’s Gone, but Meth Lingers On: Where Do We Go From Here?” 40<sup>th</sup> Annual Criminal Justice Institute, Bloomington, MN, August 22, 2005
- “Sex Offenders: Myths, Realities, and Reflections,” 39<sup>th</sup> Annual Criminal Justice Institute, Bloomington, MN, August 24, 2004
- “Domestic Violence and the Invisible Victims,” American Association of University Women, St. Paul, MN, April 13, 2004

#### **Bar Admissions**

- Minnesota
- U.S. District Court, District of Minnesota
- U.S. Tax Court

#### **Honors and Distinctions**

- “Minnesota Super Lawyer,” Thomson Reuters, 2004-2009, 2014-2016
- Norm Maleng Minister of Justice Award, Criminal Justice Section of the American Bar Association, 2009
- Prosecutor of Excellence Award, Public Law Section of the Minnesota State Bar Association, 2007
- Women of Distinction Award, Century College, 2007
- Distinguished Service Award, Minnesota County Attorneys Association, 2004
- Attorney of the Year, *Minnesota Lawyer*, 2003
- Hall of Fame, Harding High School, St. Paul, MN

**Community Involvement**

- Minnesota Interagency Task Force on Domestic Violence and Sexual Assault Prevention
- Minnesota Criminal & Juvenile Justice Information Task Force
- Joint Domestic Abuse Prosecution Unit, cofounder, 2000
- National Symposium on Female Offenders, delegate, 1999
- White House Leadership Conference on Youth, Drug Use, and Violence, participant, 1996
- University of Minnesota Law School, Board of Visitors, 1996–2001
- Presidential Scholarship Commission, by appointment of President Clinton, 1995–2000
- Minnesota Attorney General's Arson Task Force, 1995–1998



**Sarah Duniway**  
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#### Practice Areas

Election Law  
Health Law  
Higher Education  
Nonprofit & Tax-Exempt Law

#### Professional Activities

American Health Lawyers Association  
Minnesota Women Lawyers  
American Bar Association, Health Law and Tax Law sections, Exempt Organizations Committee  
Minnesota State Bar Association, Business Law section, Nonprofit Organizations Committee  
Law clerk for Justice Sandra S. Gardebring, Minnesota Supreme Court, 1996-1997

#### Education

University of Minnesota Law School, J.D., *magna cum laude*, 1996  
*Law and Inequality: A Journal of Theory and Practice*, student articles editor  
Order of Coif  
Carleton College, B.A. in mathematics, concentrations in women's studies and German, 1991

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### Biography

When leaders at nonprofit organizations, foundations, college and universities, and health care providers face legal challenges or obstacles, they turn to Sarah Duniway for guidance. Sarah facilitates her clients' creative problem-solving skills and helps them arrive at the solutions that best serve their organizations' goals. Clients trust Sarah for her ability to provide straightforward counsel on a wide range of questions, offering high-level perspective rooted in a deep understanding of the complexities of the law. Above all, Sarah delights in helping her clients accomplish their missions.

Sarah regularly advises clients on tax-exemption, governance, campaign finance, and business operations issues. She draws on this extensive experience to speak frequently on key business issues for nonprofits such as joint ventures, mergers and affiliations, structuring collaborative relationships, UBTI, and benefit corporations, as well as on governance, election law, and campaign finance issues for nonprofits. Sarah also provides counsel on matters pertaining to health law, specializing in long term care and disability programs, regulatory compliance, affiliations, joint ventures, financing, mergers and acquisitions, and HIPAA.

Sarah serves as a Managing Partner of Gray Plant Mooty and is on the firm's Board of Directors.

### Relevant Experience

- Incorporates and obtains tax-exempt status for new organizations with unique charitable purposes
- Counsels nonprofits on a variety of election law and political activity issues
- Structures organizational relationships among 501(c)(3)'s, 501(c)(4)'s, PACs, and SuperPACs
- Evaluates tax-exemption and regulatory implications of joint ventures
- Handles mergers, acquisitions and collaborative relationships for nonprofit, higher education, and health care providers
- Establishes new social enterprises and nonprofits addressing critical community needs
- Assists private foundations on formation, program-related investments, grant making, compliance, and reporting matters
- Evaluates donor advised fund and supporting organization issues for community foundations
- Conducts compliance trainings and assists with compliance plan development
- Advises senior living and disability services providers on resident, financing, and licensing issues

### Publications

- "Public Benefit Corporations: A New Option For Minnesota Companies That Do Good," *StarTribune*, February 8, 2015

- "Minnesota Campaign Finance and Ballot Measure Guide," Alliance for Justice, 2014 ([www.afj.org](http://www.afj.org))
- "The Legal Stream: Staying Tax Exempt," coauthored with Jennifer Bishop, *Streams of Hope* (published by Community Wealth Ventures), December 11, 2008
- "Political Activity on Campus," coauthored with Greg Larson, *MCPA Pathways*, September 2008

#### **Presentations**

- "Up and Running: Getting Your Planned Gift Initiatives Off the Ground," Gray Plant Mooty Charitable Development Breakfast Briefing, April 2016
- "Philanthropy Outside the Tax-Exempt Model," Council on Foundations, April 2016
- "Boards: Fiduciary Requirements and Governance Best Practices," *LeadingAge*, February 10, 2016
- "Compliance Lessons from Recent OIG Enforcement Activity," Gray Plant Mooty 19th Annual Health Law Conference, July 14, 2015
- "What are Public Benefit Corporations," Minnesota Planned Giving Council, July 2015
- "Legal Hot Topics," *LeadingAge* 2015 Senior Living NOW, July 2015
- "What are Public Benefit Corporations," Wilder Foundation, April 2015
- "Building Blocks: Creating the Infrastructure for a Gift Planning Program," Fargo-Moorhead Area Foundation, April 2015
- "Tax Issues for Nonprofits," Baker Tilly Client Seminar, November 2014
- "Building Blocks: Creating the Infrastructure for a Gift Planning Program," Gray Plant Mooty Charitable Giving Breakfast Briefing, October 2014
- "What are Public Benefit Corporations," Nonprofit Thinking in the For-Profit World, The Metropolitan, September 23, 2014
- "Getting it Right Up Front: Legal Options and Issues for Nonprofits Structuring Social Enterprises," Initiative Foundation's Financial Resiliency Through Social Enterprise program, August 2014
- "Keeping it Legal," Minnesota Council on Foundations Policy Connections Institute, July 2014
- "Serving on the Nonprofit Board," Olsen Thielen & Co., Ltd. Client Seminar, June 2014
- "A Fresh Take on Compliance Programs: A Practical Guide to Compliance," co-presenter, Gray Plant Mooty 17th Annual Health Law Conference, July 11, 2013
- "Two Sides of the Same Coin: Balancing Workplace Diversity Initiatives and Nondiscrimination Laws," Minnesota Council of Nonprofits Leadership Conference, June 2013
- "From Aristotle to Groucho: Negotiating Effective IT Contracts," MCN Non-profits Technology and Communications Conference, Minneapolis, April 10, 2013
- "Working with Volunteers," Minnesota CLE Nonprofit Conference, March 12, 2013
- "Achieving a Nonprofit Mission in a For-Profit World," The Metropolitan, September 25, 2012
- "Fundraising Events and Cause-Related Marketing," Minnesota Council on Nonprofit, 2012 and 2010
- "Nonprofit and Foundation Advocacy on Constitutional Amendments for Minnesota Council on Foundations, Minnesota Council of Nonprofits, Minnesota CLE and others, 2011-2012

#### **Community Involvement**

- Minnesota Council on Foundations, Board of Directors, 2015-present; Government Relations and Public Policy Committee, co-chair, 2009-present
- Minneapolis Parks Foundation, board member, January 2016-present
- Twin Cities Diversity in Practice, board member, 2015-present
- Gray Plant Mooty Foundation, chair, 2008-2011, trustee, 2011-present
- Studio 206, board member



**Alfred W. Coleman**  
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#### Practice Areas

Corporate & Business  
Mergers & Acquisitions  
International Law  
Private Equity  
Franchise & Distribution  
Entrepreneurial Services Group

#### Professional Activities

Minnesota State Bar Association  
American Bar Association  
National Bar Association  
Minnesota Association of Black Lawyers

#### Education

University of Minnesota, J.D., 2004  
University of St. Thomas, B.A., 2001

### Biography

Al Coleman primarily focuses on assisting companies with increasing revenues and reducing risks in domestic and international transactions. As a highly regarded and trusted advisor, he provides sophisticated advice and counsel to emerging businesses and established domestic and multi-national companies on a broad range of business and legal issues including commercial transactions, license agreements, and supply and distribution agreements. Al also provides extensive expertise in structuring, negotiating, and closing complex mergers, acquisitions and divestitures, strategic alliances, and forming or expanding operations in Canada, Europe, Asia and Africa.

Prior to joining GPM, Al served as assistant general counsel and chief corporate attorney for a billion dollar leading financial services firm. This unique insight has ingrained in Al the discipline to consistently provide pragmatic legal and business solutions that maximize value for clients.

A sought-after thought leader, Al has authored a highly acclaimed and best-selling career development guide, "Secrets to Success," and has mentored countless emerging leaders. He teaches, writes, and speaks frequently on transactional law topics, and is a regular contributor to national publications such as Forbes.com where his insights have been shared with a multitude of readers.

### Publications

- "Secrets to Success: The Definitive Career Development Guide for New and First Generation Professionals," Telemachus Press, 2011

### Bar Admissions

- Minnesota, 2004

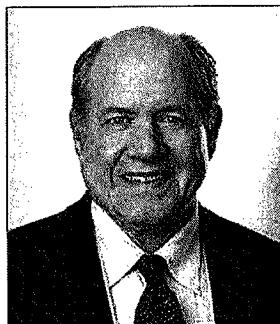
### Honors and Distinctions

- Leadership Council on Legal Diversity Fellow, 2014
- Dean's Award for Outstanding Teaching, University of St. Thomas Law School, 2010-2011
- "40 Under Forty," *Minneapolis/St. Paul Business Journal*, 2006
- "Rising Star," *Minnesota Law & Politics*, 2006

### Community Involvement

- Adjunct Professor, contract drafting, University of Minnesota Law School, 2012-Present
- Adjunct Professor, transactional drafting, University of St. Thomas Law School, 2009-2011
- Metropolitan Economic Development Association (MEDA), former pro bono legal volunteer
- Mixed Blood Theater, past board member and treasurer
- Academy of BioScience Charter School, founding board member





### Michael R. Cohen

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#### Practice Areas

Corporate & Business  
Entrepreneurial Services  
Health Care  
Intellectual Property, Technology & Privacy  
Mergers & Acquisitions  
Advertising and Promotion Law

#### Professional Activities

Certified Information Privacy Professional (CIPP/US)  
Certified Information Privacy Professional/Europe (CIPP/E)  
International Association of Privacy Professionals KnowledgeNet Program,  
Minnesota chapter, Chair  
Minnesota State Bar Association, Computer Law Section, member of the Executive  
Council, past President  
Merchant-Financial Services Cybersecurity Partnership Working Group on  
Cybersecurity and Data Breach Notification, Member  
InfraGard, a partnership between FBI and private sector, Member  
Minnesota Business Magazine, Editorial Advisory Board

#### Education

University of Minnesota Law School, J.D., 1985  
University of Pittsburgh, B.A., 1977  
Hebrew University, Jerusalem, Israel, 1974

### Biography

Michael Cohen possesses over 30 years of experience advising clients on legal matters involving intellectual property with special expertise related to information technology, data protection, privacy, and security.

He currently serves as local chair of the International Association of Privacy Professionals (IAPP) and is acknowledged as a thought leader in data privacy and security. In recognition of his passing examinations in the area of United States privacy laws and an advanced concentration in European data protection laws, standards, and practices, he has been awarded both the CIPP/US and CIPP/E certification by the IAPP.

Formerly, Michael served as the in-house counsel for Lawson Software, as a partner at a top-tier intellectual property law firm, and as a special assistant attorney general responsible for government procurement of technology and related services.

Michael is also the author of *Computer Contracts* and *Entertainment Industry Agreements*, published by Thomson/West, and primary author of *A Legal Guide to the Internet*, *A Legal Guide to Technology Transactions*, *A Legal Guide to the Use of Social Media in the Workplace*, and *A Legal Guide to Privacy and Data Security*, all published by the State of Minnesota Department of Employment and Economic Development.

Michael is a frequent lecturer and author on topics related to data privacy and intellectual property. A complete list of his presentations and publications appears below.

### Representative Transactions

#### General

- As privacy counsel, advises clients in "privacy by design" initiatives, incident management, and planning for data breach; breach notification; compliance with federal, state, and global data privacy laws and regulations; preparation of appropriate notices, policies, and procedures; employee training; and a variety of other data privacy and security matters
- Assists clients in identifying, evaluating, and managing risks associated with privacy and information security practices

- Advises clients on GLB, HIPAA, COPPA, CAN-SPAM, FCRA, VPPA, security breach notification laws, and other U.S state and federal privacy and data security laws and regulations, as well as global data protection requirements
- Provides guidance on cybersecurity risks, incidents, and policy issues, including proactive cyber incident readiness
- Conducts privacy assessments and audits
- Develops corporate records management programs and employee training
- Routinely assists clients in developing proactive cybersecurity readiness and appropriate responses to unauthorized access and use of data
- Advises many multinational clients on Safe Harbor certification, annual recertification, Model Contracts, and other methods to allow for data transfers from EU
- Counsels clients on data collection and sharing issues (including behavioral advertising and Big Data initiatives), as well as text messaging campaigns and TCPA compliance
- Counsels clients on data monetization efforts

#### *Agreements*

- Comprehensive intellectual property, privacy, and e-commerce audits
- Cross branding and trademark license agreements for use in food industry
- License agreement with Disney for use by licensee of copyrighted images on clothing, gift items, and related accessories
- Licensing rights negotiations with major film companies for use by food company of major feature films for promotional purposes
- Music publishing agreements and related contracts for songwriters and others for record and music publishing company
- All forms of technology agreements including software licenses, data processing, data privacy and security addendums, hosting, SaaS, PaaS, ASP, outsourcing, development, cloud based, data center, subscription services, support services, SLA's, disaster recovery, source code escrow, online licensing, and related agreements
- Collaborative research agreement related to development of medical devices between Minnesota corporation and London based company
- Software distribution agreement between Minnesota developer of Web based business content management software and London based distributor
- Stent license agreement for leading provider of surface modification coatings for medical devices
- Manufacturing, supply, and license agreements for world leader in design and manufacture of quick disconnect couplings used in industrial, medical, chemical handling, and food and beverage industries
- Software development and license agreements for largest provider of sales force automation software
- Research and license agreement with NREL, the United States Department of Energy's premier laboratory for renewable energy research
- Sponsored research agreements between various universities throughout the country for purpose of developing products for commercial use by private companies
- Patent licenses for processes and products in the pharmaceutical, medical, electronic, telecommunications, agricultural, and other industries
- Computer network system acquisition including all hardware, software, and related services for use by a large national retailer based in Minnesota and implemented nationwide
- Multimillion dollar agreement between the State of Minnesota and software vendor for the consolidation of the delivery of health and human services into one computer system network that included review and application of state and federal procurement regulations, as well as appropriate computer contracts
- Agreements related to large-scale outsourcing of information technology by multinational financial services institution
- All forms of license agreements, terms of use, privacy policies, security policies, social media policies, and related forms for ecommerce businesses

## Presentations

- "Information Security and Information Privacy – Should I Be Concerned for My Business?," Travel Leaders Executive Series, September 7, 2016
- "Update Your Global Privacy Compliance Toolkit: Preparing for the GDPR, Cross Border Data Transfer, and More!," course chair and speaker, Minnesota CLE, August 4, 2016
- "Lessons from the Panama Papers: Cybersecurity for Law Firms," Minnesota State Bar Convention, June 24, 2016
- "FTC and SEC Enforcement Perspectives on Privacy," moderator and conference planner, Midwest Legal Conference on Privacy and Data Security, January 14-15, 2016
- "GPM TechLaw 1.1 – Data Privacy and Security," December 11, 2015
- "A Legal Guide to Privacy and Data Security and Data Breach, Preparedness and Response," chair and presenter, Minnesota CLE, October 2, 2015
- "Panel of Privacy Professionals from Target, U.S. Bank, Cargill, and United Health Care," moderator for IAPP KnowledgeNet Program, August 6, 2015
- "Contracting for Privacy and Security: Managing and Allocating Risk," presenter, Minnesota CLE, June 11, 2015
- "A Legal Guide to Privacy and Data Security" workshop held at GPM in collaboration with Minnesota Department of Economic Security, May 7, 2015.
- "IP Transactions—Hot Spots," Intellectual Property Essentials for the Non-IP Lawyer, presenter, Minnesota CLE, April 8, 2015
- "From Aristotle to Groucho Marx: Negotiating Technology Agreements," Educational Conference for Minnesota City Attorneys, Minneapolis, Minnesota, February 6, 2015
- "Hays Companies Data Breach Discussion: Is Your Company Protected?" Cyber Liabilities Seminar, November 2014
- "Minnesota Data Privacy Laws," presenter, Minnesota CLE, Legal Guide to Privacy and Data Security, August 18, 2014
- "What's Next—What Attorneys Need to Have on Their 'Privacy Radar,'" presenter, Minnesota CLE, Legal Guide to Privacy and Data Security, August 18, 2014
- "Legal Topics for the PR Practitioner—Social Media, Privacy and More," copresenter, Public Relations Society of America, Minnesota chapter, June 24, 2014
- "A Legal Guide to Social Media in the Workplace, Rochester, Minnesota, February 18, 2014
- "IP Contract Negotiation in Today's Market—Strategies and Success Stories," member of planning committee and panelist, Advanced IP Issues in Contracts, Minnesota Continuing Legal Education, January 30, 2014
- Facilitated Pro Bono Privacy Clinic at Target West Campus in Minneapolis for non-profit organizations in need of privacy counsel, September 26, 2013
- "Navigating Intellectual Property of United States," BioPeople and Danish American Business Forum, Copenhagen, Denmark, September 12, 2013
- "Legal Guide to Social Media in the Workplace," Gray Plant Mooty, August 28, 2013
- "From Aristotle to Groucho: Negotiating Effective IT Contracts," MCN Non-profits Technology and Communications Conference, Minneapolis, April 10, 2013
- "Workshop on Technology Licensing, MinneBar 8, the so-called 'unconference,'" April 6, 2013
- "Teaching Intellectual Property Through Music," MJF Street Law Program, January 2012, January 2013
- "Start Me Up! Workshop," Carlson School of Management, Minneapolis, Minnesota, October 2012
- "IP Due Diligence—Lessons Learned From In-House Counsel," M&A Networking Group, April 2012
- "Intellectual Property Basics From Mouthwash to Music," BizLounge, February 2012
- "Intellectual Property Considerations for Start-ups," Project Skyway, October 2011
- "Selecting the Right Arbitration Provision: A Seminar for In-House Counsel," November 2006
- "Licensing: A Strategy for Procurement, Protection, and Profits," Seattle, Washington, October 2005
- "E-Commerce: Know Your Online Rights," St. Cloud, Minnesota, October 2004
- "IP Licensing," Atlanta, Georgia, September 2004
- "IP and Music," July 2004
- "License Agreements: New Developments," July 2003

- "Integrating Knowledge, Technology and Security," November 2002
- "E-Commerce: Know your Online Rights," September 2002
- "License Agreements: Case Law Developments," August 2002
- "Using IP to Create Wealth and Increase Asset Return and Shareholder Value," March 2002
- "Precision Software Licensing," Palm Desert, California, October 2001
- "Intellectual Property Rights and Marketing Online," July 2000
- "Intellectual Property in the New Millennium," February 2000
- "Developing a Corporate Intellectual Property Strategy," New York, February 1999
- "Protecting Your Company's Valuable Proprietary and Intellectual Property Rights," April 1998
- "Outsourcing Contracts-Unwinding the Deal," May 1995
- "From Aristotle to Henry Ford: A Basic Approach to Licensing," September 1995
- Workshops for Procurement Officers of Federal Department of Health and Human Services, 1988-1990

### Publications

- "Privacy Shield: A New Tool for Transferring Personal Data from EU," *entreVIEW* blog post, July 27, 2016
- "Privacy and Data Security Alert: Key Privacy Developments for 2016," GPM client alert, May 2, 2016
- "A Legal Guide to Privacy and Data Security," Minnesota Department of Employment and Economic Development, March 2016 [second version]
- "State Q&A, Right of Publicity: Minnesota," co-author, *PracticalLaw.com*, March 2, 2015
- "A Legal Guide to Privacy and Data Security," Minnesota Department of Employment and Economic Development, June 2014 [*Used as the foundation for the first ever all day Minnesota CLE on privacy and subsequent workshops for business people and lawyers culminating in the Midwest Legal Conference on Privacy and Data Security January 14-15, 2016 where Michael served as both conference planner and speaker.*]
- "A Legal Guide to the Use of Social Media in the Workplace," co-author, Minnesota Department of Employment & Economic Development, June 2013
- "A Legal Guide to Technology Transactions," Minnesota Department of Employment & Economic Development, April 2012
- "Computer Contracts," West-Thomson, updated annually since 1988
- "Entertainment Industry Agreements," West-Thomson, updated annually since 2006
- "Entertainment and Media Law Strategies—Leading Lawyers on Case Strategies, Exceeding Client Expectations, and Negotiating Deals," *Aspatore Books*
- "Legal Guide to the Internet," for use by non-lawyers to better understand data privacy and other issues related to ecommerce, Minnesota Department of Trade and Economic Development
- Regular contributor to *entreView* blog of posts related to privacy and data security

### Honors and Distinctions

- "North Star Lawyers," Minnesota State Bar Association, 2015

### Community Involvement

- Jewish Community Relations Council, board member



### Norman M. Abramson

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#### Practice Areas

Intellectual Property  
Trust & Estate Litigation

#### Professional Activities

Minnesota State Bar Association,  
Trust and Estate Litigation Subcommittee  
Subcommittee to make recommendations on adoption of the  
Uniform Trust Code  
Ramsey County Bar Association  
International Trademark Association (INTA)  
Law clerk for the Honorable Margaret M. Marrinan  
Ramsey County District Court Judge

#### Education

University of Minnesota Law School, J.D., *cum laude*, 1993  
Boston University, *cum laude*, 1990

### Biography

Norman Abramson advises clients in building their brands, trademarks, copyrights, trade secrets, and other intellectual property assets as well as maintaining, protecting, and defending them. Norman has substantial experience in disputes involving trademarks, copyrights, trade secrets, false advertising, unfair competition, patent, patent inventorship, and other IP-based litigation. In addition to his IP work, Norman has substantial experience in the areas of trust & estate litigation, trustee disputes, accountings, will contests, and other probate proceedings.

### Representative Cases

- *In re Estate of Leonard Marihart* (Big Stone County, MN 2014): successfully tried case on behalf of personal representative to construe will so that the terms "children" and "descendants" reflected testator's intent to devise his estate to his step-children
- *In re Trust of Lytton Shields* (Ramsey County, MN 2014): successfully tried case to terminate a trust on behalf of surviving grandchild by petitioning that a claimed measuring life for the trust was ambiguous and violated the Rule Against Perpetuities and was therefore invalid
- *Lisa Snyder et al v. Heidi Freeman* (Hennepin County, MN 2014): matter involving the establishment of a constructive trust over real property deeded to one sister by donor for the disputed benefit three sisters
- *Leighton Enterprises, Inc. v. BWP Media USA, Inc.* (W. D. Wis. 2014) copyright infringement matter involving photographs posted on website
- *In Re Pamela Andreas Stisser Grantor Trust Under the Second Amendment and Restatement of Trust Agreement Dated June 6, 2001*, A10-1646 (Minn. 2012)(represented at trial and before Supreme Court trustee's opposition to multi-million dollar claims by the personal representative of decedent's estate)
- *Lucky Break Wishbone Corp. v. Sterling Jewelers, Inc., et al.*, (D. Minn. 2011) (dispute involving the use of a copyrighted work in a television advertisement)
- *Saul Zaentz Co. v. Wozniak Travel, Inc.*, 627 F.Supp.2d 1096 (N.D. Cal. 2008) (lead counsel in successful defense of trademark infringement and dilution claims brought by producers of Lord of Rings movies against travel agency that operates under the name Hobbit Travel)
- *Clam Corp., Inc. v. Innovative Outdoor Solutions, Inc.*, 2008 WL 5244845, 89 U.S.P.Q.2d 1314 (D. Minn. 2008) (lead counsel in opposing trade dress infringement claim based on the plaintiff's registration of a color blue for ice fishing shelters)
- *Kia Motors America, Inc. v. Autoworks Distributing*, 2009 WL 499543, 90 U.S.P.Q.2d 1598 (D. Minn. 2009) (represented plaintiff in gray market/counterfeiting unfair competition matter regarding auto parts sold under plaintiff's trademarks)

- *Convey Compliance Systems, Inc. v. 1099 Pro., Inc.*, 443 F.3d 327 443 F.3d 327 (4th Cir. 2006) (successfully prosecuted breach of contract claims and defended trademark infringement and cyber-squatting claims)
- *Stern v. Columbia University*, 434 F.3d 1375 (Fed. Cir. 2006) (patent inventorship dispute)
- *Cieslukowski v. Norton Motorcycles, et al.*, 2002 WL 31045846 (D. Minn. 2002) (trial addressing successor liability and remedies for transferring trademarks post trial to avoid judgment creditors)
- *In re Williams Trust*, 631 N.W.2d 398 (Minn. App. 2001); 2000 WL 1920038 (Minn. Dist. Ct. 2000) 591 N.W.2d 743 (Minn. App. 1999) (significant trial and appellate decisions on duties of trustee, damages for breach of trust and use of attorney/client privilege for lawyers representing trust)
- *Heidi Ott v. Target et al.*, 153 F.Supp.2d 1055 (D. Minn. 2001) (significant case addressing misuse of trade dress, unfair competition, and false advertising)
- *Entegris, Inc. v. ReSource America, et al.* (2004) (represented defendant in business method patent infringement matter)

#### Publication

- "State Q&A, Right of Publicity: Minnesota," co-author, PracticalLaw.com, March 2, 2015
- "Bogert, The Law of Trusts and Trustees, Chapter 16: Trusts and Conflicts of Law Problems," (2nd ed. revised), co-author, publication expected 2015

#### Presentations

- "The Estate Planning & Probate Trust Law 40 Cases Every Probate Lawyer Must Know Inside and Out," Minnesota CLE, September 2014 and February 2016
- "Standing out in a Crowd and Introduction to Trademark Law," presented to graduate students at the Carlson School of Business at the University of Minnesota, 2012-2014
- "How An 18th Century Term of Art That 'Really Means Nothing' Led to Ten Years of Litigation: The Minnesota Supreme Court's 2012 Decision on the Effect of General Directives to Pay Debts in Trust Instruments, co-presenter, August 2013
- "Social Media Practices Inspiration or Infringement? How Do We Tell The Difference?," October 2012
- "Trust Litigation: Witness Prep, Document Prep and Protection & Past Present and Future Litigation," presented to the 2012 Probate & Trust Law Section Conference, June 4, 2012
- "Recent Trademark and Rights of Publicity Decisions," Insurance Coverage for Emerging Intellectual Property Claims, GPM and AON Risk Solutions, November 17, 2011
- "The Rise and Changing Nature of Fraud Claims in Trademark Litigation," GPM Hot Topics in IP Litigation Roundtable, February 2009

#### Bar Admissions

- U.S. Court of Appeals, Ninth Circuit, 2008
- U.S. Court of Appeals, Federal Circuit, 2005
- U.S. Court of Appeals, Fourth Circuit, 2004
- U.S. District Court, District of Minnesota, 1994
- Minnesota, 1993

#### Honors and Distinctions

- "North Star Lawyers," Minnesota State Bar Association, 2014-2015
- Gray Plant Mooty Pro Bono All Star, 2014
- "Rising Star," *Minnesota Law & Politics*, 2002-2007

#### Community Involvement

- Temple Israel Board Nominating Rules Committee, 2014
- Cardozo Society, Executive Steering Committee, 2004-present; Co-Programming Chair, 2004-2007
- Jewish Community Center, Board Member, 1998-2006 (significant involvement with agencies, long-range planning, Finance Committee, Membership Committee, Fitness Facilities Committee, and 2005 Maccabi Games)
- Gray Plant Mooty Pro Bono Committee
- Minneapolis Urban League Legal Aid Clinic



#### Practice Area

Corporate & Business  
Government Relations

#### Professional Activities

Oilseed & Grain Trade Summit Advisory Board  
Minnesota Government Relations Council, Director/Treasurer  
Ralph K. Morris Foundation, Director  
American Agricultural Law Association

#### Education

Drake University Law School, J.D., agriculture, environment, 1996  
Cornell College, B.A., political science, environmental studies, 1993

#### Daryn McBeth

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#### Biography

Daryn is an experienced food and agriculture industry professional specializing in government relations, state and federal politics, industry relations, and legislative and regulatory services. With years of experience, he knows the stakeholders and the process, and excels at effective advocacy before federal and state legislative bodies and regulatory agencies.

For nearly ten years, Daryn led the Minnesota Agri-Growth Council, where he developed and directed the association's government and public affairs initiatives on behalf of more than 200 members ranging from Fortune 500 companies to producer groups and diverse business interests. Most recently he served as a director of state affairs and industry relations at a \$14B farmer-owned cooperative, where he led the company's state government relations strategies in Minnesota and nationally, as well as its federal Political Action Committee (PAC).

Daryn worked at the U.S. Department of Agriculture's General Counsel's office, where he worked with the U.S. Treasury Department and IRS on income tax issues for farm programs, and drafted final rules implementing conservation programs from the 1996 Farm Bill. He also worked at a Washington, D.C. lobbying firm, where he represented national agricultural and commodity organizations, and oversaw successful federal lobbying efforts resulting in multi-million dollar research programs, establishing new federal farm programs and other regulatory changes. Daryn also served as legislative counsel in Washington, D.C., where he advised a congressman on legislative and constituent issues, focusing on all matters in front of the U.S. House Agriculture Committee. Because of his broad background, he has a deep understanding of the industry and its core issues.

#### Community Involvement

- Wayzata Basketball Association, coach
- Pheasants Forever – West Metro Chapter
- Wayzata School District – Legislative Action Committee



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### Practice Areas

Litigation

### Professional Activities

American Bar Association  
Hennepin County Bar Association, member, *Hennepin Lawyer* magazine committee  
Minnesota State Bar Association  
Minnesota Women Lawyers

### Education

William Mitchell College of Law, J.D., *summa cum laude*, 2007  
*William Mitchell Law Review*, member  
American Civil Liberties Union, William Mitchell Chapter, board secretary  
Research Assistant to Professor Daniel Kleinberger  
University of St. Thomas, B.A., *summa cum laude*, 2001

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### Biography

As a litigator, Joy Anderson aims to resolve cases as efficiently as possible in the way that best meets each of her client's unique needs, whether that may be resolving a case through settlement or continuing through trial. Her litigation practice focuses mainly on trust and estate clients, but also includes outside litigation matters such as:

- Disputes between members of close corporations (family businesses)
- Contract disputes
- Trademark and false advertising claims
- Negligent supervision and retention claims against employers

The pressure of litigation can be difficult financially, emotionally, and time-consuming for clients. Joy aims to provide not only legal support, but support in understanding and managing the additional pressures that litigation brings. To lessen these pressures, clients can be assured that Joy's work begins long outside the courtroom—as a past reporter, Joy integrates her journalistic tenacity to marshal evidence and case law, as well as form creative arguments and draft clear, strong briefs prior to trial. Her dual preparation has resulted in client successes in the following industries:

- |                         |                                |
|-------------------------|--------------------------------|
| • Health care           | • Financial institutions       |
| • Trust companies       | • Landlord and tenant disputes |
| • Food/food supplements | • Manufacturing                |

Joy is committed to understanding client goals and ensuring her strategy accomplishes clients' goals as best as possible, including those who cannot otherwise afford to access the legal system. Co-chair of Gray Plant Mooty's pro bono committee, she has assisted clients with asylum cases and unfair eviction claims while volunteering as a lawyer for the Advocates of Human Rights and the Fund for Legal Aid One Hour of Sharing Campaign.

### Relevant Experience

#### *Trust, Estate, and Fiduciary Litigation*

- *In re: Trust of Shields*, No. 62-C7-38-229054 (Ramsey County District Court, October 2014) (obtained judgment after trial in favor of client requesting interpretation of terms in a trust)
- *In re: DuBois Trust*, No. 27-TR-CV-14-90 (Hennepin County District Court, Probate Division July 2014) (successfully brought petition for reformation of trust)
- *In re: Estate of Mackenstadt*, 62-PR-11-305 (Ramsey County District Court, Probate Division October 2011) (lead counsel at trial successfully defending will against claims of undue influence and lack of testamentary capacity)



- *In re: Estate of Nina V. Grazzini*, No. 19HA-CV-08-3471 (Dakota County District Court, August 2010)(successfully defended will and trust against claims of undue influence at trial)
- *Grazzini-Rucki v. Grazzini*, 2010 Minn. App. Unpub. LEXIS 287 (Minn. Ct. App. Apr. 6, 2010) (obtained summary judgment for defendant accused of breaching fiduciary duties)

#### *Intellectual Property Litigation*

- *Vision Master Inc. vs. ASC International*, No. 2-14-CV-224-NT (D. Maine, December 2014) (successfully compelled arbitration in dispute over used trademark and other intellectual property)
- *Taiyo Int'l, Inc. v. Phyto Tech Corp.*, 275 F.R.D. 497, 498 (D. Minn. 2011) (successfully brought false advertising claim resulting in favorable settlement for client)
- *Clam Corp. v. Innovative Outdoor Solutions, Inc.*, 2008 U.S. Dist. LEXIS 100938, 89 U.S.P.Q.2d (D. Minn. Dec. 15, 2008) (successfully opposed preliminary injunction in trade dress infringement claim based on the plaintiff's registration of a color blue for ice fishing shelters)

#### *Commercial Litigation*

- *Oakley Fertilizer, Inc. v. Rosengren*, No. CV-09-4244 (Washington County District Court April 2011) (lead counsel in commercial contract case resulting in judgment at trial for full amount owed to client)
- *Dharsee v. Midwest Language Banc, Inc.*, No. 27-CV-10-21678 (Hennepin County District Court May 2011) (lead counsel obtaining summary judgment for defendant in negligence case)

#### **Publications**

- "Bogert, The Law of Trusts and Trustees, Chapter 16: Trusts and Conflicts of Law Problems," (2nd ed. revised), co-author, publication expected 2015
- "New to the Bench: Judge Lois R. Conroy," *Hennepin Lawyer*, January 2013
- "New to the Bench: Judge Martha Holton Dimick," *Hennepin Lawyer*, September 2012
- "New to the Bench: Judge Nancy E. Brasel," *Hennepin Lawyer*, January 2012
- "New to the Bench: Judge Patrick Robben," *Hennepin Lawyer*, September 2011
- "Litigation Update: Patent Reform Act Signed into Law," September 2011
- "Litigation Update: Recent Changes in Enforcement of False Patent Marking," May 2010
- "Case Note: Looking for Something: Minnesota's New Rule for Interpreting Anti-Assignment Clauses in *Travertine Corp. v. Lexington-Silverwood*," 32 *William Mitchell Law Review* 1435, 2006

#### **Presentations**

- "Creatively Using Motions in Civil Litigation," presenter, NBI, Inc., January 2015
- "Federal Third-Party Subpoenas: Managing the New Changes to Fed R. Civ. R. 45," presenter, Minnesota CLE, April 2014
- "Motions: Procedural Requirements, Strategic and Practical Considerations, and Oral Argument," presenter, Minnesota State Bar Association CLE Center, 2012-2014
- "Volunteering in Housing Court," presenter, Volunteer Lawyers Network CLE, March 2011

#### **Bar Admissions**

- U.S. District Court, District of Minnesota, 2008
- Minnesota, 2007

#### **Honors and Distinctions**

- "Minnesota Rising Star," Thomson Reuters, 2014-2016
- "North Star Lawyers," Minnesota State Bar Association, 2012, 2014-2015

#### **Community Involvement**

- Volunteer Lawyers Network, volunteer, 2007-present
- VLN Board of Directors, member
- Gray Plant Mooty Pro Bono Committee, co-chair
- Fund for Legal Aid, One Hour of Sharing Campaign, co-chair
- The Advocates for Human Rights, volunteer lawyer





**Richard C. Landon**  
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#### Practice Areas

Business & General Litigation  
Franchise & Distribution  
Intellectual Property Litigation  
Antitrust & Trade Regulation

#### Industries

Manufacturing  
Wholesale & Retail Distribution  
Software & Technology

#### Professional Activities

Minnesota State Bar Association  
American Bar Association  
Hennepin County Bar Association  
Law clerk for the Honorable Michael J. Melloy,  
U.S. Court of Appeals for the Eighth Circuit

#### Education

University of Iowa College of Law, J.D., *with high distinction*, 2011  
*Iowa Law Review*, articles editor,  
Order of the Coif  
University of Iowa, M.A. in American Studies, 2007  
Macalester College, B.A. in Religious Studies, *magna cum laude*, 2003

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#### Biography

Richard Landon is a business litigator and appellate specialist concentrating in the areas of franchise and distribution, antitrust, and intellectual property. Clients value Richard's diverse range of litigation experience and his eagerness to take on complex legal issues regardless of their area of law. He also represents clients in a wide variety of shareholder, unfair competition, and insurance policy coverage disputes.

Before becoming a lawyer, Richard obtained his master's degree at the University of Iowa, where he studied and wrote about the impact of copyright and trademark law on cultural production. His interest in intellectual property eventually led him to law school, where he served as a research assistant for Herbert Hovenkamp in the areas of antitrust and patent law.

Richard's interest in intellectual property has led to substantial experience in patent litigation, as well as work representing clients in copyright, trademark, and trade secret lawsuits.

In the area of franchise and distribution, Richard regularly provides assistance to franchisor clients in contract disputes with current and former franchisees. Richard also represents manufacturers and distributors in a wide variety of commercial disputes including dealer terminations, antitrust, and other unfair competition claims.

Richard also devotes part of his practice to appellate litigation at both the state and federal level, drawing from his experience as a judicial clerk with Michael J. Melloy of the U.S. Court of Appeals for the Eighth Circuit.

#### Representative Cases

##### Recent Litigation Experience

- Helped client obtain judgment on the pleadings in patent dispute by invalidating asserted patents as directed to ineligible subject matter and defend the ruling in the Federal Circuit
- Helped patent client obtain summary judgment ruling that insurance carrier owed a duty to defend false advertising claims under a general liability policy
- Successfully defended heavy equipment dealer client in two-day trial against negligent repair allegations

















