



Michael T. Nilan (Mike)

Founding Shareholder

Contact:

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Biography

Mike, a founding shareholder of the firm, has had a long and interesting career. He has led and successfully managed some of the largest, most complex litigation in the firm's history, while also conducting himself with integrity and accountability as a leader.

Mike's clients are grateful for his superb skills as a strategist, trial lawyer, and oral advocate. He spends time understanding their business—learning what's important for the client to accomplish—and resolving disputes in a manner that is effective and cost-efficient. He's known for "playing well with others"—a key for success when contributing to joint defense groups. Mike has an exceptional ability to take complex legal issues and unravel them so that judges and juries can understand the issues from his clients' perspective.

On summer weekends, you can find Mike at his lake cabin, either in the water, on a boat, or on a motorcycle. During the winter, he'll still be there, but more likely in front of the fire or on cross country skis.

Key Practice Experience

- Tried to conclusion a number of the largest, and longest, jury trials in both Minnesota and the country
- Served as lead trial counsel to a major lead pigment manufacturer for over 20 years in more than 100 cases – winning all of them through motion practice, trial or appeal
- Served as lead trial counsel in dozens of class action and mass tort cases
- Served as lead trial counsel in numerous securities fraud and commercial litigation matters

Education

University of Minnesota Law School, J.D., *cum laude*, 1979

University of Minnesota School of Public Health, M.S., Environmental Health

University of Minnesota, B.A., Physiology

Bar Admissions

All Minnesota Courts

United States Supreme Court

U.S. Court of Appeals (First Circuit, Third Circuit, Fourth Circuit, Fifth Circuit, Eighth Circuit)

Admitted Pro Hac Vice in 20+ state courts

Key Industry Experience

- Chemical and Manufacturing
- Medical Device
- Financial Services

Representative Matters

- Affirmed summary judgment in Minnesota Court of Appeals in favor of wind turbine manufacturer in 18 million dollar breach of contract claim (2011)
- Arbitration award in favor of medical device manufacturer in breach of contract claim (2010)
- Arbitration award in favor of financial services firm in 25 million dollar breach of contract and fraud claim (2009)
- Prevailed on appeal of 2.5 billion dollar public nuisance claim of Rhode Island Attorney General in favor of product manufacturer after 5 month trial (2008)
- Jury verdict in favor of product manufacturer in first test case of risk contribution/ market share liability trial in Wisconsin (2007)

Recognitions and Honors

- Selected by peers as fellow of the American College of Trial Lawyers
- Board Certified Civil Trial Specialist, Minnesota State Bar Association
- Past Chair Litigation Section of Minnesota State Bar Association
- Listed on Minnesota *Super Lawyers* list, 1994-Present
- Military Service: Lieutenant, United States Navy, Medical Service Corps., active duty 1972-1975
- Editor, University of Minnesota Law Review

Publications and Presentations

- "Bet the Company Litigation and Perspectives On it": Annual Federal Court Practice Seminar (2011)
- Co-author of Amicus Brief on behalf of DRI-The Voice of the Defense Bar – to the United States Supreme Court in Global Warming case, American Electric Power Company v. State of Connecticut (2011)
- DRI 2010 Annual Meeting: "Public Nuisance – The New Mega Tort (2010)
- ABA Section of Litigation; Products Liability and Mass Torts Committees: "What a Nuisance! – Effective Advocacy for 'Public Nuisance' Lawsuits" (2009)
- ABA Section of Litigation, Product Liability Newsletter: "Public Nuisance Claims in Product Liability Actions: Down, but Not Out" (2009)
- DRI 2008 Annual Product Liability Conference: "Bastardization of Nuisance Law in Product Liability Cases" (2008)
- Second Annual Judicial Symposium on Civil Justice Issues, The Brookings Institution: "Public Nuisance Actions" (2007)
- International Association of Defense Counsel 2007 Midyear Meeting; Toxic and Hazardous Substances Committee: "The Trend Toward Utilizing Science Advisory Boards and Science Counsel in Cutting Edge Toxic Litigation" (2007)
- Minnesota State Bar Association Continuing Legal Education: "Class Actions: Doing Battle and Winning in the Real World" (2005)

Professional Associations

- American Bar Association
- Minnesota State Bar Association
- International Association of Defense Counsel
- DRI – The voice of the Defense Bar
- Minnesota Defense Lawyers Association
- Academy of Certified Trial Lawyers

Community Engagement

- Greater Minneapolis Crisis Nursery Board, Past