



Stacy A. Broman

Partner

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Overview

Stacy focuses her practice on complex commercial litigation where she defends insurers in insurance coverage and bad faith litigation, and represents professionals in professional liability litigation. She is also one of the firm's leaders as a member of its Management Committee.

For her work on behalf of the insurance industry, Stacy has been named to the *Super Lawyers*® list by Minnesota Super Lawyers magazine. She is listed in The Best Service Professionals in the United States (under Lawyers: Insurance) and in The *Best Lawyers*® in America. She was also named Insurance Lawyer of the Year for 2013.

Stacy was elected to the American College of Coverage Counsel (ACCC) in May 2013. In May 2015, she was elected to the ACCC Board of Regents.

In 2014, Stacy was elected to the Board of Directors of the Federation of Defense & Corporate Counsel (FDCC), an organization comprised of leaders in the insurance and corporate defense bar. FDCC membership is selective and by invitation to those who have been judged by their peers to have achieved professional distinction. In 2020, Stacy earned the FDCC Diversity Award through her work on the Barb Currie Scholarship, the Diversity Committee, the Admissions and the Membership Committees.

Stacy is also a Senior Fellow in the Litigation Counsel of America – an invitation-only honor society that limits its membership to the top 0.5 percent of trial lawyers. Fellows are selected on the basis of effectiveness and accomplishment in litigation and superior ethical reputation.

Stacy is a founder of Insurance Institute of America (ILIA) of the Litigation Counsel of America, founded in 2013.

Stacy is a frequent lecturer and author on issues affecting the insurance industry.

Services

- ◆ Commercial Litigation
- ◆ Products Liability
- ◆ Professional Liability
- ◆ Construction
- ◆ Insurance
 - ◇ Insurance - Bad Faith
 - ◇ Insurance Coverage
 - ◇ Insurance - Reinsurance

State Bar Admissions

- ◆ Minnesota, 1988
- ◆ Wisconsin, 2002

Federal Court Admissions

- ◆ United States District Court, District of Minnesota, 1988
- ◆ United States Court of Appeals, Eighth Circuit, 1989
- ◆ United States Court of Appeals, Fifth Circuit, 1991
- ◆ United States Court of Appeals, Sixth Circuit, 1993
- ◆ United States District Court, District of Nebraska, 1996
- ◆ United States District Court, Western District of Wisconsin, 2001
- ◆ United States District Court, Central District of Illinois, 2002
- ◆ United States District Court, Eastern District of Wisconsin, 2008
- ◆ United States District Court, District of North Dakota, 2014

Outside the office, Stacy volunteers her time with Southern Minnesota Regional Legal Services as a member of The Campaign for Legal Aid. She is also involved with her church and her children's schools, plays classical piano and is a voracious reader.

Education

- ◆ Hamline University School of Law, J.D., *cum laude*, 1988
- ◆ Moorhead State University, B.A., *cum laude*, 1985



Experience

Reported Opinions/Cases

- ◆ *Seren Innovations, Inc. v. Transcontinental Ins. Co., et al.*, 2006 WL 1390262 (Minn. App. May 23, 2006) (insurance policies did not cover damages for punitive damages and insurers did not breach fiduciary duty to insured)
- ◆ *City of Elkhorn v. The 211 Centralia Street Corp., et al.*, 275 Wis.2d 584, 685 N.W.2d 874 (Wis. Ct. App. 2004) (insurance coverage is precluded as environmental contamination did not result from an "occurrence")
- ◆ *Bell Lumber & Pole Co. v. United States Fire Ins. Co.*, 847 F. Supp. 738 (D. Minn. 1994), *aff'd*, 60 F.3d 437 (8th Cir. 1995) (insurance coverage is precluded for environmental contamination as a result of wood treatment operations)
- ◆ *Anderson v. Minnesota Ins. Guar. Ass'n*, 534 N.W.2d 706 (Minn. 1995) (rejecting policyholder's argument that issuers should be estopped from relying upon exclusion in policy)
- ◆ *Dakhue Landfill, Inc. v. Employers Ins. of Wausau*, 508 N.W.2d 798 (Minn. Ct. App. 1993) (pollution exclusion excludes insurance coverage for landfill cleanup)

Professional Affiliations

- ◆ Fellow, [American College of Coverage Counsel](#) (Established in 2012, the ACCEC is composed of preeminent coverage and extracontractual counsel in the United States and Canada, representing the interests of both insurers and policyholders. Membership is limited, and is by invitation)
 - ◇ Board of Regents (2015 - Present)
- ◆ [Federation of Defense & Corporate Counsel](#) (FDCC), composed of recognized leaders in the legal community who have achieved professional distinction, is dedicated to promoting knowledge, fellowship, and professionalism of its members as they pursue the course of a balanced justice system and represent those in need of a defense in civil lawsuits.

- ◇ Board of Directors (2014 - Present)
- ◇ Co-Chair, Diversity Committee (2018 - Present)
- ◇ Executive Committee (2018 - Present)
- ◇ Chair, Amicus and Public Policy Committee (2013 - 2018)
- ◇ Chair, Extra Contractual Liability Section (2012 - 2014)
- ◇ Chair, Appellate Section (2010 - 2012)
- ◇ Vice Chair, FDCC Deposition Boot Camp (2014 - 2017)
- ◇ Vice Chair, Amicus Committee (2008 - 2013)
- ◇ Vice Chair, Insurance Coverage Section (2006 - 2012)
- ◇ Vice Chair, Extra-Contractual Liability Section (2006 - 2012)
- ◇ Member, Admissions Committee (2011 - Present)
- ◇ Member, Foundation Fundraising Committee (2014 - Present)
- ◇ Member, Membership Development and Retention Committee (2005 - 2011, 2013 - 2014)
- ◇ Member, Ad Hoc Special Assessment Committee (2012 - 2013)
- ◇ Member, Nominating Committee (2009 - 2010)
- ◇ Member, Resolutions Revisions Committee (2009 - 2010)
- ◆ Senior Fellow, Litigation Counsel of America (A trial lawyer honorary society, with membership limited to one-half of one percent of American lawyers, and by invitation only)
 - ◇ Advocate, Order of Certus
 - ◇ Barrister, Order of Veritas
 - ◇ Member, Trial Law Institute
 - ◇ Charter Member, Diversity Law Institute, Member, Advisory Board (2014 - 2015)
 - ◇ Founder, Insurance Institute of America (ILIA) of the Litigation Counsel of America (founded 2013)
- ◆ Fellow, American Bar Foundation (Membership is limited to one percent of the lawyers admitted to practice in each jurisdiction of the United States, by invitation)
- ◆ Defense Research Institute
- ◆ Minnesota Women Lawyers
- ◆ Minnesota State Bar Association
- ◆ Hennepin County Bar Association

Notable

Accolades

- ◆ Senior Fellow, Litigation Counsel of America (A trial lawyer honorary society, with membership limited to one-half of one percent of American lawyers, and by invitation only)

- ◆ Elected to Board of Regents of the American College of Coverage Counsel, 2015 - Present
- ◆ 2020 Diversity Award, [Federation of Defense & Corporate Counsel](#) (FDCC), the award celebrates efforts to foster diversity and inclusion in the legal profession and seeks to ensure equal opportunity for all persons in the membership, leadership, engagement and activities of the FDCC
- ◆ Named Minneapolis Best Lawyers® Insurance Law Lawyer of the Year, 2013
- ◆ Awarded the highest possible Martindale-Hubbell Peer Review Rating, AV® Preeminent™ (AV is a registered certification mark of Reed Elsevier Properties Inc., used in accordance with the Martindale-Hubbell certification procedures, standards and policies)
- ◆ Selected as a "2014 Top-Rated Lawyer in Insurance Law" by The American Lawyer & Corporate Counsel magazine and Martindale-Hubbell™
- ◆ Selected for inclusion in The Best Lawyers of America® in the area of Insurance Law, 2010-2021
- ◆ Selected for inclusion in the Minnesota Super Lawyers® list, Thomson Reuters, (only five percent of the lawyers in the state were selected), 2005-2020
- ◆ Recognized in the list of Top 50 Women Super Lawyers, 2011
- ◆ Recognized in the list of Top 100 Women Super Lawyers, 2008-2009
- ◆ Selected for inclusion in The Best of the U.S. Inc.'s list of The Best Service Professionals in the United States under Lawyers, Insurance (Copyright© 2006 Best of United States), 2006
- ◆ Selected for inclusion in the Minnesota Rising Stars list, 2002

Speaking Engagements

- ◆ Canadian Defence Lawyers 16th Annual Insurance Coverage Symposium - Opioid Litigation in the United States: Status of the MDL, Toronto, Canada (February 2020)
- ◆ DRI Insurance Coverage and Claims Institute 2019 - Interplay of Carriers on Construction Losses, Chicago, Illinois (April 2019)
- ◆ FDCC Annual Meeting - Civility and Professionalism: The Power and Strength that Comes from Staying on the High Road, Maui, Hawaii (July 2018)
- ◆ FDCC Annual Meeting - Mary Jane's Last Dance: Smoking out Marijuana Coverage Issues, Charlevoix, Quebec, Canada (July 2016)
- ◆ FDCC Winter Meeting - Your Clients Don't Have to be Homer Simpson: Strategies for Avoiding Preventable Bad Faith, Coronado, California (March 2016)
- ◆ FDCC Winter Convention - Insurance Coverage Issue in the Wake of a Mass Shooting, San Diego, California (February 2016)
- ◆ ACCEC 2015 Annual Meeting - What a Difference a Year Makes: 2014 & 2015 Coverage Developments, Chicago, Illinois (May 2015)
- ◆ ACCEC 2014 Insurance Law Symposium - Defective Construction Claims: Where Breach of Warranty and Covered Occurrences Merge or Divide, Oxford, Mississippi (March 2014)
- ◆ FDCC Mid-Winter Meeting - Alternative Fee Arrangements, Will the Recession Compel a Move From the Billable Hour?, Indian Wells, California (February 2011)
- ◆ FDCC Mid-Winter Meeting - The Ripple Effect of Catastrophic Environmental Events: Moratoriums, Regulatory Change, and

Industry Reaction - Do we Learn From our Mistakes?, Indian Wells, California (February 2011)

- ◆ Minnesota State Bar Association: Multi-Family Construction Defect Litigation Seminar - Common Insurance Coverage Issues in Construction Defect Cases (June 2008)
- ◆ FDCC Mid-Winter Meeting - Additional Insured Endorsements - The Recent Efforts to Limit Coverage to the Additional Insured, Las Vegas, Nevada (March 2006)
- ◆ Minnesota State Bar Association: Insurance Coverage Institute - Advertising Injury (May 2005)
- ◆ Clarion Legal Insurance Law Institute 2003 - Insurance Coverage and Environmental Claims: New and Emerging Issues (July 2003)
- ◆ Minnesota Institute of Legal Education Emerging Disputes Seminar - Use of Protective Orders and Case Management Orders in Insurance Litigation (May 2003)
- ◆ Minnesota Institute of Legal Education Insurance Coverage Institute - The Sharing of Information Between Insured and Insurer -- An Analysis of the Duty to Cooperate (October 2002)
- ◆ Minnesota Institute of Legal Education: Emerging Issues in Liability Insurance - Emerging Insurance Issues Mold and Beyond (May 2002)
- ◆ Minnesota Institute of Legal Education: Insurance Coverage Institute - Haunted Houses and Indoor Pollution (October 2001)
- ◆ Minnesota Institute of Legal Education CGL Insurance Seminar - Additional Insureds and Insured Contracts -- Deciphering the Relationship (May 2001)
- ◆ Environmental Claims -- The New and Emerging - Presentation to Minnesota Claims Managers Association (December 2000)
- ◆ Midwest Environmental Claims Association Annual Conference - The New State Activism - Government Actions Against Insurers (September 1999)
- ◆ Minnesota Institute of Legal Education: CGL Insurance - The Minnesota Landfill Cleanup Act - Latest Developments (July 1999)
- ◆ Insurance Women of Greater Minneapolis Education Seminar: The Duty to Defend and Bad Faith Concepts (May 1999)
- ◆ Minnesota Institute of Legal Education: Bad Faith Litigation - Surety & Insurance - An Insurer's Options Post-Tender (April 1997)
- ◆ Minnesota Journal of Law and Politics: Environmental Law Series Insuring Against Environmental Liability - Environmental Coverage (October 1996)
- ◆ Professional Legal Education Resource Center - Insurance Coverage Environmental Coverage: Who's Going to Pay for This Mess? (June 1996)

Publications

- ◆ Author, "Thoughts on Leadership - Leading a Practice Group" Chapter in Leadership for Lawyers, published by Federation of Defense and Corporate Counsel (2018)
- ◆ Co-author, "New Coverage for Old Sites and Potential Coverage Implications," The Brief, Tort Trial & Insurance Practice Section, American Bar Association, Vol. 45, No. 4 (Summer 2016)
- ◆ Co-author, "Products Liability Consumer Class Action Claims: When Are They Covered by Insurance?" in the ABA Tort Trial & Insurance Practice Law Journal (Spring 2016)

- ◆ Book review, "Abraham Lincoln, Esq.: The Legal Career of America's Greatest President" by Roger Billings and Frank J. Williams (University Press of Kentucky, 2010), published June 2011 issue (Vol. 84, No.6), Wisconsin Lawyer
- ◆ Co-author, "Determining Whether to File Motions for Summary Judgment and Summary Adjudication" in 2 New Appleman Insurance Law Practice Guide at Ch. 22 (LexisNexis 2007)
- ◆ "Additional Insured Endorsements: Recent Efforts to Limit Coverage to the Additional Insured" 57 FDCC Quarterly 1 (Fall 2006)
- ◆ "The Move from Regulator to Litigator - The States Flex Their Muscles in Environmental Coverage Disputes" 12 Environmental Claims Journal 3 (Spring 2000)
- ◆ Note, "Limiting Probationer's Rights Under the Minnesota Constitution" 10 Hamline Law Review (1987)