



Michael D. Hutchens

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Overview

Michael is chair of the firm's Construction practice group. He focuses his practice on complex civil litigation involving products liability, construction liability, and the defense of pharmaceuticals and medical devices. He has handled more than 125 jury trials. Michael recently won a successful jury verdict in litigation defending the designer of a mission critical data center. Millions of dollars were at stake.

Michael has been identified by *Chambers USA* as one of America's Leading Litigation Lawyers for Construction. He is recognized in the list *Minnesota Super Lawyers®* in the area of construction litigation and has been selected as a Leading Attorney in a statewide survey conducted by American Research Corporation. He is also listed in *The Best Lawyers®* in America.

Recent Victories

- ◆ Defense verdict for highway engineer in quadriplegia case
- ◆ Defense verdict for mechanical engineer in \$2M HVAC case
- ◆ Defense verdict for product manufacturer in catastrophic neck and back injury case
- ◆ Defense verdict for HVAC contractor in double carbon monoxide fatality and brain injury case
- ◆ Defense verdict for architect in major historic development case

Education

- ◆ Hamline University School of Law, J.D., 1985
- ◆ University of St. Thomas, B.A., 1982

Services

- ◆ Commercial Litigation
- ◆ Life Sciences
- ◆ Mass Tort/Toxic Tort
- ◆ Products Liability
- ◆ Professional Liability
- ◆ Catastrophic Loss
- ◆ Construction

State Bar Admissions

- ◆ Minnesota, 1985
- ◆ Wisconsin, 1995

Federal Court Admissions

- ◆ United States Court of Appeals, Eighth Circuit
- ◆ United States District Court, District of Minnesota, 1985
- ◆ United States District Court, Eastern District of Wisconsin, 2002
- ◆ United States District Court, Western District of Wisconsin



Experience

Representative Fire and Explosion Cases

- ◆ Ammonia explosion with claims exceeding \$100 million for property damage and business interruption
- ◆ LP gas explosions in Minnesota and Wisconsin involving severe burns, death and property destruction
- ◆ Agricultural facilities suits involving property damage and business interruption
- ◆ A wide variety of residential fires involving death, burns, and property damage

Representative Commercial Litigation Cases

- ◆ Business interruption and lost profits claim involving custom food conveying/packaging system
- ◆ Multi-million dollar claim involving pneumatic chemical conveying system
- ◆ Dispute involving packaging used in commercial food operation with business interruption and lost profits claim

Representative Matters Involving Construction and Design Professionals

- ◆ Defense of Electrical Engineer in \$7M Mission Critical data center trial
- ◆ Defense of Civil Engineers in quadriplegia cases arising out of Highway design
- ◆ Defense of catastrophic personal injury claims arising out of construction projects
- ◆ Soils correction cases involving commercial projects
- ◆ Delay claims involving commercial projects ranging from condominiums to a sports stadium
- ◆ Air quality/HVAC cases involving schools and commercial buildings
- ◆ Structural failure cases involving commercial buildings and soil retention systems
- ◆ Water infiltration claims involving commercial and residential projects
- ◆ Fire and explosion cases arising out of construction projects

Representative Food Borne Illness Cases

- ◆ Represented the manufacturer of peanut butter in what was then the largest food recall case in U.S. history
- ◆ Represented the international producer of meat products in an E. coli matter

Representative Catastrophic Injury Cases

- ◆ Wrongful death
- ◆ Loss of limb, hearing and sight
- ◆ Paraplegia and quadriplegia
- ◆ Brain injuries
- ◆ Heart injuries
- ◆ Severe burns
- ◆ Stroke

Products Defended

- ◆ Agricultural equipment including augers, corn pickers, hay balers, silos and milking equipment
- ◆ Industrial equipment including ammonia systems, chemical conveying systems, electrical systems and custom-built equipment
- ◆ Dock and warehouse equipment including forklifts, manlifts and reach trucks
- ◆ Construction equipment including bulldozers, excavators, cranes, skid steer loaders and wheeled vehicles
- ◆ Consumer products and vehicles including ATVs, snowmobiles and motorcycles

Pharmaceuticals and Medical Devices Defended

- ◆ Fen-Phen (cases in Minnesota and Wisconsin)
- ◆ Hormone replacement therapy
- ◆ PPA (cases involving severe strokes)
- ◆ Metoclopramide (cases involving tardive dyskinesia)
- ◆ Antibiotics (cases involving tendon ruptures)
- ◆ Consumer medical products

Professional Affiliations

- ◆ Minnesota State Bar Association
- ◆ Hennepin County Bar Association
- ◆ International Society of Barristers, Membership is by invitation only which is preceded by a rigorous screening process that considers the lawyer's ability, experience, accomplishments and ethical standards as assessed by trial lawyers and judges.
- ◆ International Association of Defense Counsel, An invitation only, peer-reviewed association comprised of the world's leading corporate and insurance lawyers and insurance executives.
- ◆ American Board of Trial Advocates
- ◆ Defense Research Institute
- ◆ American Arbitration Association
 - ◇ Panel of Arbitrators
- ◆ The Harmonie Group (www.harmonie.org)

- ◆ Claims & Litigation Management (CLM) Alliance

Notable

Accolades

- ◆ Chambers USA: America's Leading Lawyers for Business: Construction, 2019-2023
- ◆ Selected for inclusion in The Best Lawyers in America® in the areas of Personal Injury Litigation-Defendants and Products Liability Litigation-Defendants, 2009-2024
- ◆ Recognized in the Minnesota Super Lawyers® list in the area of Personal Injury General: Defense (only five percent of lawyers in the state were selected), 2003-2023
- ◆ Named Minneapolis Best Lawyers® Product Liability Litigation - Defendants Lawyer of the Year, 2016
- ◆ 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)
- ◆ Recognized in the list of Top 100 Minnesota Super Lawyers, 2007
- ◆ International Society of Barristers, Membership is by invitation only which is proceeded by a rigorous screening process that considers the lawyer's ability, experience, accomplishments and ethical standards as assessed by trial lawyers and judges.
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