



Louise A. Behrendt

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Overview

Louise handles complex civil motions and appeals in Minnesota state and federal courts in an effective, thorough, and ethical manner, addressing a wide variety of civil issues including construction defect, contractual indemnification, employment discrimination, insurance coverage, premises liability, personal injury, products liability and sex abuse.

Louise is an active member of the Minnesota Defense Lawyers Association, where she serves as the Chair of the Amicus Curiae Committee. For her contributions as Chair, in August 2022 Louise received the “Presidents Award” from the Minnesota Defense Lawyers Association for her contributions to the defense bar.

Louise is also a member and Co-Chair of the Hennepin County Bar Association’s Bar Memorial Committee, which each year facilitates a special session of the Hennepin County District Court to honor attorneys who have recently passed away, to recognize their years of service as well as their contributions to the Bar in Hennepin County.

Louise is also a member of the Minnesota State Bar Association, where she served for six years on the governing council of the Appellate Practice Section, lecturing in seminars addressing appellate issues and revising and updating the electronic practicelaw.org website with information and articles helpful to practitioners.

Louise has also been involved in the MSBA’s Wills for Heroes program, drafting wills, powers of attorney, and health care directives for Minnesota police officers and fire fighters.

Louise has taught Appellate Advocacy as an adjunct professor at Mitchell Hamline College of Law for over ten years, where she instructed law students in the nuts and bolts of researching, writing and arguing appeals as well as in the practicalities of being an effective, principled and persuasive advocate.

Education

Services

- ◆ Mass Tort/Toxic Tort
- ◆ Appellate

State Bar Admissions

- ◆ Minnesota, 1989
- ◆ North Dakota, 2016

Federal Court Admissions

- ◆ United States District Court, District of Minnesota
- ◆ United States Court of Appeals, Eighth Circuit

- ◆ William Mitchell College of Law, J.D., *cum laude*, 1989
- ◆ University of Minnesota, B.A., 1979



Experience

Significant Cases

- ◆ *Domagala v. 3M Company, et al.*, Court File No. 62-CV-16-3232, in which the Ramsey County District Court granted summary judgment for firm client Carrier Corporation, in a living mesothelioma asbestos case with seven figure exposure. The court found that the repose provisions within Minn. Stat. 541.051, subd. 1 applied to bar claims based on alleged exposure to asbestos occurring during installation of furnaces more than fifty years before the lawsuit was commenced. This decision is a significant one, as application of Minnesota’s repose provisions to asbestos injury cases has rarely been recognized and applied by the Minnesota asbestos trial courts.
- ◆ *Cody Slieter v. American Family Mutual Insurance Company*, 868 N.W. 2d 21 (Minn. 2015), in which the Minnesota Supreme Court concluded that plaintiff, one of several individuals injured in a accident in which several students were injured on a school bus, is entitled to excess underinsured motorist coverage under Minn. Stat. § 65B.49, subd. 3a (5); the court found the statute ambiguous, and concluded that the better interpretation of the phrase “coverage available” was the one which provided plaintiff with a UIM recovery if the coverage available to him under his own auto policy did not exceed the total amount actually available to him via a pro rata distribution from the UIM coverage on the occupied vehicle.
- ◆ *Hanbury v. American Family Mutual Insurance Company*, 865 N.W. 2d 83 (Minn. Ct App. 2015), in which the Minnesota Court of Appeals concluded that an individual who receives allegedly insufficient wrongful death damages from the auto-related death of his parent is not entitled to UIM coverage under his own auto policy.
- ◆ *Rosso v. Hallmark Homes of Minneapolis*, 843 N.W. 2d 798 (Minn. Ct. App. 2014), in which the Court of Appeals construed the meaning of the term “substantial completion” with reference to the ten-year statute of repose applicable to construction defect claims in Minn. Stat. § 541.051, subd. 1.
- ◆ *Engineering and Construction Innovations, Inc. v. L.H. Bolduc Co., Inc.*, 825 N.W. 2d 695 (Minn. 2013), in which the Minnesota Supreme Court addressed important issues regarding indemnification obligations in construction contracts.
- ◆ *Day Masonry v. ISD 347*, 781 N.W. 2d 321 (Minn. 2010), in which the Court addressed the procedural requirements involved in filing a notice of review as an appellant and refined the considerations involved in applying the statute of limitations for construction defect claims.
- ◆ *Carlson v. Allstate Ins Co.*, 749 N.W. 2d 41 (Minn. 2008), in which the Court clarified its position on the “reasonable expectations” doctrine when construing insurance policies.
- ◆ *Mumm v. Mornson*, 708 N.W. 2d 475 (Minn. 2006), an important case involving governmental immunity in which the Court found for the first time that police officers could be held liable for failing to follow established policy in conducting a vehicular pursuit that result in injury or death to bystanders.

Professional Affiliations

- ◆ Minnesota State Bar Association
- ◆ Hennepin County Bar Association
 - ◇ Co-Chair, Bar Memorial Committee
- ◆ Minnesota Defense Lawyers Association

- ◇ Chair, Amicus Curiae Committee
- ◇ Member, Construction Law Committee

Notable

Accolades

- ◆ President’s Award 2022, Minnesota Defense Lawyers Association (Awarded to member who has demonstrated extraordinary contributions to the MDLA and the civil defense bar.)
- ◆ Awarded Martindale-Hubbell Peer Review Rating, Distinguished (This rating indicates the attorney is widely respected by their peers for high professional achievement and ethical standards.)

Community Involvement

- ◆ Attorney Volunteer, Wills for Heroes, Minnesota State Bar Association

Leadership

- ◆ Adjunct Professor, Appellate Advocacy, Mitchell Hamline School of Law (Spring 2003 - Fall 2017)

Publications

- ◆ Recent Developments at the Intersection of Minn. Stat. § 541.051 and Products Liability Actions, *Minnesota Defense* (Fall 2020)