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THOMAS F. NELSON

SHAREHOLDER

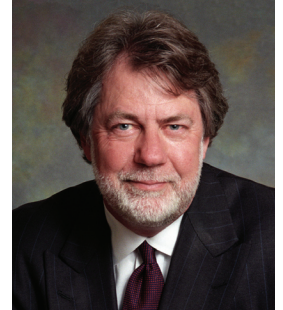
tom.nelson@leonard.com

Tom Nelson has been selected for several years as one of Minnesota's leading attorneys, based not only on his excellence in the practice of law and his representation of clients, but also on his service to our legal profession and his contribution to our community.

In terms of his representation of clients, he was just honored by being named among *The Best Lawyers in America* for 2012—this time in five practice areas, in particular: Commercial Litigation; Insurance Law; Banking & Finance Litigation; Construction Litigation; and Real Estate Litigation. He has been selected every year for inclusion in *Super Lawyers*® since the inception of that annual distinction in the 1990's. He was included, along with Allen Saeks of our firm, in the national Corporate Counsel Edition of the *Super Lawyers* publication as one of Minnesota's Top Attorneys in Business Litigation.

In terms of his devotion to the legal profession, Tom's commitment is well-known. For example, he was the 2008 recipient of the Hennepin County Bar Association Attorney Professionalism Award, presented annually to the Association member "who best exemplifies the pursuit of the practice of law as a profession, including a spirit of public service and promotion of the highest possible level of competence, integrity and ethical conduct." For almost a decade now, Tom has served as Chair of the Hennepin County Bar Association Bar Memorial Committee, and has also served on the Bench and Bar Liaison Committee. Recently, he was appointed Secretary of the Hennepin County Bar Association which (at least traditionally, and after a few more years) leads to the presidency of the HCBA. He served on the U.S. Magistrate Judge Merit Selection Panel, upon his appointment by then U.S. District Court Chief Judge James Rosenbaum. He recently co-chaired the panel for the 8th Circuit Judicial conference on "Baseball and the Law" at Target Field, home of the Minnesota Twins. He has been admitted to the Douglas K. Amdahl Inn of Court. Interestingly, Tom just returned from a one-week trip to Cuba, as a member of the Minnesota State Bar Association delegation visiting the National Union of Cuban Jurists.

In terms of his service to the community, Tom was recognized in 2009 as the recipient of our firm's Pro Bono Award for Outstanding Legal Service in the Public Interest, arising out of his work with the University of Minnesota Guantanamo Defense Project. He serves on the Board of Directors of The Givens Foundation for African American Literature, and also on the Board of Trustees of the Landmark Center in Saint Paul (one of Minnesota's most significant historic buildings and the location for many years of Minnesota's U.S. District Court). He was elected to the Board of Trustees of



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the American Swedish Institute, and serves as a commissioner on the City of Bloomington Charter Commission. He is our law firm's representative for Twin Cities/Diversity in Practice, and serves on the Board of Directors of that unique consortium of law firms and corporations; and he is the co-chair of our firm's Diversity Initiative. He is also an active member of the Federal Bar Association's diversity-related committees, including nationally (chaired by United States District Judge Donovan Frank) and the Minnesota Chapter (chaired by U.S. Magistrate Judge Jeanne Graham), and he also serves on the Minnesota State Bar Association and the Hennepin County Bar Association Diversity Committees.

In terms of practice areas, Tom's legal career started out (and somewhat continues) in the realm of "Door Law" (meaning, whatever comes in the door). Along the way, Tom has handled some "interesting" matters, including representing one company in a lawsuit brought by Alice the Cat; and then later representing two Cairn Terriers named Gus and Loki in their claim against the neighborhood Pit Bull. He has represented a federally imprisoned, espionage-related defendant in extended federal habeas corpus proceedings, and has effected the arrest of an ocean-going merchant vessel in the New Haven harbor pursuant to applicable maritime law. He has represented Ringling Brothers/Barnum & Bailey Combined Shows in commercial, contract and municipal regulatory matters. And his First Amendment work has included trials and disputes involving alleged AIDS-related and (alleged) Mob-related defamation claims against newspapers; opinion-related defamation claims against public officials; and medical "quackery" defamation-related claims against what was known as the American Quack Association.

More traditionally (perhaps), Tom has handled commercial litigation (i.e., lawsuits about money) involving, among other things, mechanical heart valve contract supply disputes, sales representative contractual commissions, shareholder disputes, investor/broker claims, computer technology and equipment, condemnation and adverse possession, and real estate development option agreements (e.g., *D.R. Horton v. Radintz*, Minnesota Court of Appeals: 2009WL 2928761 (Minn. App.)). He has also defended products ranging from trucks to table saws, and from exploding electrical switch gear and natural gas pipelines to saline-filled breast implants. Tom's long-time work with the design professional and construction communities has included defending claims involving allegedly sinking buildings as well as allegedly sagging high school gymnasium roof trusses. His employment-related work has included a wide range of non-compete and duty-of-loyalty litigation. His insurance, reinsurance and risk management work has included (allegedly) STOLI-related federal life insurance litigation, broker professional negligence and agent liability, coverage disputes and litigation, non-compete litigation, policy analysis, drafting and negotiation, as well as regulatory-related matters, space satellite reinsurance brokerage, reinsurance treaty interpretation, and Attorney General civil investigative demands (CIDs). He recently finished a multi-week jury trial in Hennepin County District Court involving professional negligence relating to reinsurance brokerage services. He is a member of ARIAS-US. His corporate work has ranged from

brewery-related lease negotiations; to the creation (and then sale) of a highly sophisticated, engineering-related, invention-based emerging corporation; to advising businesses on doing business with Native American tribes; to law firm and corporate “divorces,” break-ups and lawyer transitions; to more traditional corporate transactions and transitions, including strategic earn-out or outright purchase or sale approaches. In the financial enterprise world, he has served as lead defense counsel in credit cardholder class action litigation, and also as counsel with respect to lender liability claims, bankruptcy and workout matters, receivership proceedings, and credit card fraud investigation. Along the way, he has drafted and negotiated a wide range of commercial contracts and corporate governing documents, and consults regularly on company ownership arrangements and ownership transition, serving, in effect, as “outside general counsel.” He has been chosen by trial and litigation counsel to serve as mediator or arbitrator over the years, usually confidentially.

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Prior to practicing law, Tom was a founder, teacher and administrator of an innovative public high school in New Haven called High School in the Community—a school still working creatively to educate the students of New Haven. During that time, he also served on the faculty and advisory board of the Cloverdale Project, a residential summer educational program for high school students in the foothills of the Nevada desert. After law school, he clerked for two terms (1977 and 1978) for Judge Thomas J. Meskill of the U.S. Court of Appeals for the Second Circuit, sitting in New York City. [See 588 F.3d] Tom began his legal career with the Connecticut law firm of Tyler Cooper, and returned to Minnesota in 1983.

PROFESSIONAL AND CIVIC ACTIVITIES

- Past chairman, History Committee, U.S. District Court (Minnesota)
 - Past member, Board of Directors, Norway House
 - Past member, Board of Directors, Federal Bar Association
 - Past member, Civil Justice Reform Act Advisory Committee, upon the appointment of then Chief Judge Paul Magnuson of the U.S. District Court (Minnesota)
 - Past member, Board of Directors, St. Olaf College Alumni Association
 - Past member, Board of Directors, The Playwrights’ Center
 - Past member, Board of Directors, The Izaak Walton League (Bush Lake)
 - Past co-chair, St. Olaf College “Liberal Arts and the Law” Conferences (now, co-chair, “Ole Law” Conference)
 - Past (and founding) chair, Arts Law Committee, Minnesota State Bar Association
 - Past member, Arts Midwest Task Force on Freedom of Expression
 - Past member, Minneapolis Arts Commission
 - Past member, Bloomington Parks, Arts and Recreation Commission
 - Past member, Bloomington City Council’s Bush Lake Advisory Committee; and also the Bloomington City Council’s Task Force on Public Facilities (leading to the approval, design, construction and
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completion of Bloomington's new City Hall, Police Station and Public Works Facility).

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- Member, Bloomington Charter Commission
- Member, Minneapolis Club (serving on the House or Facility Committee); Minnesota Valley Golf Club
- Member, West Immanuel Lutheran Church, Star Prairie, Wisconsin, and Mindekirken, the Norwegian Lutheran Church of Minneapolis

EDUCATION

J.D., University of Connecticut School of Law, 1977
Administrative Editor, *Connecticut Law Review*

M.A.R., Yale University, 1971

B.A., St. Olaf College, 1969
Phi Beta Kappa

ADMISSIONS

- State of Minnesota
- State of Connecticut (Retired Status)

A Professional Association

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