

ALFA International

Business Litigation

Practice Group Newsletter - August 2018

Featured Member – Stan Siegel

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Practice Description

Stan is a shareholder in the Minneapolis, MN, ALFA International law firm of Nilan Johnson Lewis, where he is the Chair of the firm's Business Litigation Practice Group. Stan has extensive litigation and trial experience, having represented businesses, governmental entities, individuals, and insurers in a wide variety of business and commercial disputes, intellectual property matters, large casualty losses and arbitrations. He has conducted trials in state and federal courts in more than twenty-five states, and abroad. Stan is recognized as a top lawyer in the areas of business and intellectual property litigation, having been selected by his peers and recognized as a "Super Lawyer" every year since 1997. Prior to entering private practice three decades ago, Stan was a federal law clerk for the Honorable Donald P. Lay, Chief Judge of the United States Court of Appeals for the Eight Circuit.

Interesting Career Highlights

Stan wanted to be an actor and following college began his career in Hollywood pursuing that dream. When he realized that David Hasselhoff was getting most of the roles he wanted, Stan decided to go to law school and perform in front of juries. Stan has enjoyed good fortune ever since. On his first day in private practice following the completion of his judicial clerkship, Stan was put on an airplane back to Los Angeles for depositions in the San Juan DuPont Plaza Hotel fire litigation, which then was the largest piece of litigation in our nation's history with more than 2,300 plaintiffs, 230 defendants, and \$1.8 billion in damages. Several years (including one living in Puerto Rico) and a few hundred depositions later, and following a trial with more than 40 lawyers in the courtroom, Stan returned to Minnesota and has since set the un-official record of having been an ALFA lawyer in 3 separate Minnesota law firms (Fetterly & Gordon, Rider Bennett, and now Nilan Johnson).



Stan Siegel

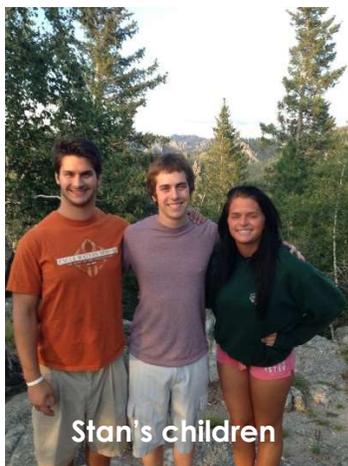


Minneapolis, MN

A couple of Stan's more interesting recent cases both were ALFA referrals. The first was the defense of a publisher in a defamation case in which the plaintiffs accused the author (a Catholic priest who decided to write a book during his sabbatical) and Stan's client of falsely accusing them of having murdered a Minnesota teenager in the 1950's. The defense involved deposing octogenarians around the country who were eyewitnesses to the teenager's killing, the exhumation of the decedent fifty years after his death and burial, several dramatic confessions by the plaintiffs during their depositions, and the total exoneration of Stan's clients. CNN commentator Laura Coates was one of the associates who worked on the defense of the case with Stan. The second case (a referral from Bryne Wallace) was the defense of an Irish manufacturer in what appeared to be a pretty straightforward business break-up and breach of contract case, but it turned into the proliferation of separate lawsuits in state and federal court here in the States, and in Ireland, and ultimately an eight-figure recovery for Stan's clients on counterclaims against the plaintiffs after it was discovered (in a personal email account on a company laptop inadvertently left on) that the plaintiffs had stolen most of Stan's client's company secrets on their way out the door. Whoops.

Interests Outside the Practice of Law

Stan loves spending time with his three children (all of whom live together in the Twin Cities), going on an annual "baseball trip" each fall for the past several decades to great American cities and ballparks with old South Dakota buddies, traveling each year to visit his family in the Netherlands, and running several marathons, admittedly a little more slowly, each year. Stan also looks forward every year to attending several ALFA events where he cherishes the opportunity to spend time with the dear friends – ALFA lawyers and clients alike – he has had the good fortune of making over the many years.



Stan's children



Stan following the Rotterdam, Netherlands marathon



Stan's daughter, Sarah, with ALFA buddy.

Guest Columnist – Lewis H. Lazarus



Lewis H. Lazarus

Morris James LLP

Freedom of contract is the hallmark of Delaware statutes enabling formation of unincorporated entities, such as limited liability companies and limited partnerships. With this freedom comes the responsibility to accurately and completely describe the parties' rights and duties. When parties fail to adequately address critical terms in their agreement, courts will apply default rules under the applicable business entity statute. The recent case of *Domain Associates LLC v. Shah*, C.A. No. 12921-VCL (Aug. 13, 2018), demonstrates the court's application of these default rules under the Limited Liability Company Act to hold that an expelled member of a Delaware LLC was entitled to the fair value of his company interest, and not just the value of his capital account. To see the full article, [click here](#).

Subcommittee Focus

No report submitted.

Upcoming Events

The next Steering Committee call will be Tuesday, September 18, 2018 at 11 a.m. EDT/10 a.m. CDT/9 a.m. MDT/8 a.m. PDT. Please note this is a new time slot – two hours earlier – to try and encourage participation from members on the other side of the pond.

Our Practice Group Annual Meeting will be Friday, October 26, following the Annual Business Meeting, in Montreal. Hope to see you there!