



Robert D. Brownson

Shareholder

4800 Capella Tower
225 South Sixth Street
Minneapolis, MN 55402
612-315-6312
rbrownson@brownsonpllc.com

A seasoned attorney and well-respected litigator, Bob brings vast expertise in insurance coverage and asbestos defense litigation. Bob is the Chair of the firm's Insurance Coverage Practice Group. Leveraging his deep industry knowledge and significant trial experience in state and federal courts throughout the United States, he is known for winning cases.

Bob rises to the challenge of complex disputes, working diligently to achieve favorable resolutions efficiently and cost-effectively for clients. He applies unmatched insights and creative lawyering to difficult cases, developing innovative strategies and methods rather than following the predictable path. Bob is proud to have prevailed in numerous significant, contentious jury trials, often swimming uphill but winning the jury to his side. Objective, factually driven, and modest, Bob is a powerful and reliable resource.

Insurance Coverage Litigation

Bob has remarkable experience representing both insurance companies and policy holders. Proficient on both sides of the aisle, he has a competitive advantage and invaluable perspective. He counsels clients in commercial insurance issues involving coverage, recovery, and reconstruction of historical insurance policies, creating insurance coverage charts and matrices, and negotiating and designing multi-insurer-coverage claims-handling agreements.

He handles coverage litigation in the United States, Canada, and Bermuda involving:

- arbitration between primary and excess insurers;
- insurance coverage for Superfund sites;
- excess coverage for latent disease workers' compensation liability;
- multi-trigger toxic tort vendors' endorsement coverage under CGL policies;
- coverage under follow-form and manuscript excess and umbrella insurance policies, and drop down disputes among excess insurers for toxic tort liability; and
- surety bond funds control for public entity construction projects.

Service Areas

- Insurance Coverage Litigation
- Asbestos Bankruptcy Management & Consulting
- Asbestos Defense Litigation
- Regulatory Law
- Professional Liability
- Toxic Tort, Exposure, and Environmental Litigation

Bar Admissions

- Minnesota (1979)
- U.S. District Court, District of Minnesota (1979)
- Eighth Circuit Court of Appeals (2005)

Education

- J.D., with honors, William Mitchell College of Law (1979)
- Editor and Staff Member, William Mitchell Law Review
- B.A., cum laude, St. Olaf College, Northfield, MN (1975)



Asbestos Litigation

Bob knows asbestos litigation inside and out, serving as National Coordinating Counsel for numerous companies that are defendants in lawsuits around the country. He currently represents a leading ceiling tile manufacturer in asbestos personal injury, property damage, and other toxic tort litigation. Bob has handled asbestos cases in 37 states and Bermuda. He established his reputation as a winning litigator with major successes in state and federal jury trials in Maryland, West Virginia, Missouri, Kansas, Michigan, Massachusetts, and Illinois. He has supervised the defense of more than 100,000 asbestos personal injury cases for a gasket manufacturer, successfully resolving more than 70 percent of them. He has also managed the defense of more than 60,000 asbestos personal injury actions and 30 major asbestos property damage cases for fireproofing manufacturers.

Asbestos Bankruptcy Management and Consulting

Bob was appointed by Chief Judge Gregory Kishel of the U.S. Bankruptcy Court, District of Minnesota, to serve as Trustee of the API, Inc. Asbestos Settlement Trust. For more than 15 years, he has ensured the efficient and effective operation of the trust, for which he:

- develops and implements procedures to receive, process, and pay claims;
 - manages the approval determination for all claims;
 - prepares all annual and other reports required for the trust; and
 - handles investments of trust assets.
- In addition, Bob is a current and founding member of the Asbestos Liability Risk Analysis (ALRA) Group, a team of preeminent counsel who have handled and supervised the defense of more than 300,000 asbestos bodily injury cases throughout the United States.

Toxic Tort, Exposure, and Environmental litigation

Bob represents defendants in the Midwest and throughout the United States in personal injury cases involving benzene, silica, styrene, ceramic fiber, and other chemical and particle toxic exposure. He's a sought-after presenter and writer for insurance companies, trade groups, and scientific conferences regarding asbestos, benzene, indoor air pollution, EPA and OSHA regulations, medical monitoring, and emerging trends in toxic tort litigation.

Professional Libability

Bob successfully defends professional liability cases involving title insurance agents, surety bond disbursing agents, life insurance agents, and ERISA pension plan actuaries. He helps clients to manage problems early and provides aggressive litigation defense when necessary.



Honors and Awards

- Senior Life Fellow, Foundation of the American Board of Trial Advocates (ABOTA)
- AV® Preeminent™ Peer Review Rating, Martindale-Hubbell®
- Minnesota District Judges' Association, Jury Instructions Committee, Products Liability
- LexisNexis Mealey's Publication, Toxic Tort, Advisory Council
- Leading Minnesota Attorney, The Legal Network
- Euromoney Publication (London) listing of The World's Leading Environmental Lawyers

Memberships

- American Board of Trial Advocates (ABOTA)
- American Chemical Society (ACS)
- Asbestos Liability Risk Analysis (ALRA) Group, Founding Member
- Defense Research Institute (DRI)
- Minnesota State Bar Association (MSBA)
- Hennepin County Bar Association (HCBA)
- Professional Liability Underwriters Society (PLUS)

Representative Cases

Insurance Coverage

- Goodman v. Economy Premier Assurance Company, et. al., U.S.D.C. (D. Minn.), Case No. 19-cv-01815 (PAM/ECW).
- Diocese of St. Cloud, et. al. v. Arrowood Indemnity Company, et. al., United States District Court (D. Minn.), Case No. 17-cv-2002 (JRT/LIB) (2017)
- The Catholic Mutual Relief Society of America v. Arrowood Indemnity Company, United States, District Court (D. Minn.), Civil No. 17-3141 (JRT/LIB) (2017)
- Certain Underwriters at Lloyd's, London v. Soo Line Railroad Co., d/b/a, Canadian Pacific, Admiral Insurance Co., et. al., Hennepin County, Minnesota, District Court, Case No. 27-CV-11-16790 (2011)
- Wood Conversion Company, n/k/a, Conwed Corporation v. Allstate Insurance Company, as Successor to Northbrook Excess & Surplus Lines Insurance Company, f/k/a, Northbrook Insurance Company, et. al., Ramsey County, Minnesota, District Court, No. 62-CV-09-2420 (2009)
- Conwed Corp. v. Associated Inemnity Company, et. al., Burlington County, New Jersey, Superior Court, Law Division, Docket No. BUR-L-959-96 (1999)
- Wood Conversion Company v. Allstate Insurance Company, St. Paul Fire & Marine Insurance Company, First State Insurance Company, United States Fire Insurance Company, and Westchester Insurance Company, Ramsey County, Minnesota, District Court, No. 62-CV-09-2420.

Asbestos Litigation

- Michael P. McGill and Tatyana McGill v. Conwed Corporation, U.S.D.C, District of Minnesota, Civil No. 17-01047 (SRN/HB), 2017.
- Conwed Corp. v. Union Carbide Chemicals & Plastics Co., 634 N.W.2d 401 (Minn. 2001).
- Conwed Corp. v. Union Carbide Corp., 443 F.3d 1032 (8th Cir. 2006).
- State of Maryland v. Keene, et al., Circuit Court for Anne Arundel County, Maryland, No. 1108600.
- City of Kansas City v. W. R. Grace, et al., Circuit Court of Jackson County, Missouri, Case No. VA 86-019615 Civil Docket B.
- In Re: State of West Virginia Public Building Asbestos Litigation, Circuit Court of Monongalia County, West Virginia, Civil Action No. 86-C-458.
- City of Wichita, Kansas, a Municipal Corporation v. United States Mineral Products Company, a New Jersey Corporation; and Asbestospray Corporation, a New York Corporation, U.S.D.C., D. Kansas, Case No. 89-1331.
- Board of Education for the School District of the City of Detroit v. Celotex, et al., Circuit Court of Wayne County, Michigan, No. 84-429634-ND.
- Board of Education of the City of Chicago, et al. v. ACandS, et al.; Evanston Community Consolidated School District No. 65 v. ACandS, et al.; Board of Education of High School District No. 211 v. ACandS, et al., Cook County Illinois, Circuit Court, No. 92 L 9933; No. 92 L 99332; No. 92 L 9927.
- Mike Moore, Attorney General ex rel, State of Mississippi v. Flintkote, et al., Jackson County, Mississippi, Circuit Court, No. 89-5138 (2).
- Commonwealth of Massachusetts v. Owens-Corning Fiberglas, et al., Suffolk County, Massachusetts, Superior Court, C.A. No. 90-3791-A.



Major Class Actions, Federal Court Multidistrict Litigation and Consolidated Personal Injury Trials in Asbestos Litigation

- In Re: Asbestos Products Liability Litigation (No. VI), Judicial Panel on Multidistrict Litigation, MDL Docket No. 875.
- In Re: Asbestos School Litigation, U.S.D.C., E.D. Pa., Master File No: 83-0268. National class action for removal of asbestos from public and private school buildings.
- Central Wesleyan College, on behalf of itself and all others similarly situated v. Asbestospray Corporation, et al., U.S.D.C., D. South Carolina, Civ. No. 2: 87-1860-B. National class action for removal of asbestos from public and private college and university buildings.
- Prince George Center, Inc., et al. v. United States Gypsum Company, et al., Philadelphia County, Pennsylvania, Court of Common Pleas, First Judicial District, Civil Trial Division, May Term, 1986, No. 5388. National class action for asbestos removal from all buildings owned by private owners leased to the federal government.
- Carol Fletcher, et al., on behalf of themselves and all others similarly situated v. Brooke Group, Ltd., et al., Mobile County, Alabama, Circuit Court, Civil Action No. CV97-913. Employers' asbestos-related recoupment subclass co-counsel, national class action for all claimants for damages from smoking Liggett cigarettes.
- Consolidated New York Powerhouse Asbestos Personal Injury Litigation, New York County, New York, Supreme Court.
- Abate II Consolidated Asbestos Personal Injury Cases, Baltimore City, Maryland, Circuit Court. Consolidated trial involving approximately 1500 plaintiffs.
- Monongalia Mass II, Monongalia Mass III Consolidated Asbestos Personal Injury Cases, Monongalia County, West Virginia, Circuit Court. Two separate consolidated cases each involving several hundred plaintiffs.
- In Re: Asbestos Cases III Consolidated Asbestos Personal Injury Cases, Kanawha County, West Virginia, Circuit Court. Consolidated trial involving several hundred plaintiffs.
- Conwed Corp. v. Union Carbide Corp., U.S. District Court, District of Minnesota Civ. No. 92-0088 (DDA/RLE). Subrogation case involving several hundred former workers occupationally exposed to asbestos at a northern Minnesota mill manufacturing ceiling tile.

Professional Liability Litigation

- Fidelity National Title Insurance Company v. Premier Title Agency, Inc., 1st Title, LLC, Principle Title, LLC, Foundation Title, LLC, Timberland Title, LLC, and Fortress Title, LLC, Hennepin County District Court, Court File #27-CV-10-7189. Successfully defended title insurance agents against a series of claims by a title insurer that they negligently placed title insurance. The case was dismissed.
- In the Matter of the Arbitration between First National Insurance Company of America (SAFECO), and North American Construction Services, Inc., American Arbitration Association Commercial Arbitration Tribunal, Hennepin County, Minnesota. Won an arbitration by a surety bond insurer against a surety construction contract disbursing agent. The arbitrator ruled that the contract allowed no claim and damages against North American Construction Services, Inc., the surety contract disbursing agent.
- Mary E. Degan Heffelfinger v. Jeffrey Severtson, et. al., Hennepin County District Court, Court File #27-CV-07-17187. Successfully defended a life insurance agent against claims that life insurance annuity contract was improperly placed.



Publications and Presentations

- Panelist, Finding and Organizing Coverage, Perrin Conferences; Coverage and Litigation Issues Surrounding Sexual Harassment, Assault, and Abuse Claims, New York, New York, January 29, 2020.
- Brownson, Robert D., and Brownson Kristi K., Current & Historical American Asbestos Regulations, 2020 update.
- Asbestos Claims and Litigation: Update and Review: 2013 and 2014 New Case Filing Summary and Analysis, Asbestos Liability Risk Analysis Group, June 1, 2015, Author, with ALRA Group, <http://www.alragroup.com/whitepapers.html>
- Asbestos Claims and Litigation: Update and Review: 2012 New Case Filing Summary and Analysis, Asbestos Liability Risk Assessment Group, December 1, 2013, Author, with ALRA Group, <http://www.alragroup.com/whitepapers.html>
- Current and Historical American Asbestos Regulations; 2013 Update, Brownson & Linnihan, PLLP, Author with Kristi K. Warner (Brownson)
- Asbestos Claims and Litigation: Pfizer v. Law Offices of Peter G. Angelos Case Analysis: Parent Company Asbestos Liability, Asbestos Liability Risk Assessment Group, 2013 Author, with ALRA Group, <http://www.alragroup.com/whitepapers.html>
- Asbestos Claims and Litigation: Update and Review: 2011 New Case Filing Summary and Analysis, Asbestos Litigation Risk Analysis Group, October 15, 2012, Author, with ALRA Group, <http://www.alragroup.com/whitepapers.html>
- Hidden Asbestos Liabilities in Corporate Transactions, Asbestos liability Risk Analysis Group, April 15, 2012, Author, with ALRA Group, <http://www.alragroup.com/whitepapers.html>
- Asbestos Claims and Litigation: Update and Review: 2010 New Case Filing Summary and Analysis, Asbestos Liability Risk Assessment Group, 2011, Author, with ALRA Group, <http://www.alragroup.com/whitepapers.html>
- Asbestos Claims and Litigation: Update and Review: 2009 New Case Filing Summary and Analysis, Asbestos Liability Risk Assessment Group, 2010, Author, with ALRA Group, <http://www.alragroup.com/whitepapers.html>
- Asbestos Claims and Litigation: Update and Review: 2008 New Case Filing Summary and Analysis, Asbestos Liability Risk Assessment Group, 2009, Author, with ALRA Group, <http://www.alragroup.com/whitepapers.html>
- Asbestos Claims and Litigation: Effects of the 2008 Elections: Summary and Analysis, Asbestos Liability Risk Analysis Group, June 20, 2008, Author, with ALRA Group, <http://www.alragroup.com/whitepapers.html>
- Asbestos Claims and Litigation: Update and Review: 2007 New Case Filing Summary and Analysis, Asbestos Liability Risk Assessment Group, 2008, Author, with ALRA Group, <http://www.alragroup.com/whitepapers.html>
- Asbestos Claims and Litigation: Update and Review: 2006 New Case Filing Summary and Analysis, Asbestos Liability Risk Assessment Group, 2007, Author, with ALRA Group, <http://www.alragroup.com/whitepapers.html>
- Asbestos Claims and Litigation-Issues and Strategy: An Analysis of the Cases Against a Historical Context, Asbestos Liability Risk Assessment Group, Dec. 1, 2006, Author, with ALRA Group, <http://www.alragroup.com/whitepapers.html>
- Benzene State of the Art; The Defense Perspective, Mealey's Benzene Litigation Conference, Phoenix, Arizona, October 17-18, 2005
- Presentation and Paper; Recent Developments in the Light Cigarette Litigation, Andrews Publications; Tobacco Litigation 2001; New Orleans, Louisiana, April 26-27, 2001
- Invited Panelist, The Tobacco Defense in Asbestos Litigation: A Short Course, South Miami Hospital, Miami Florida, January 3, 2001
- Technical Issues: The Migration of Toxins to Surrounding Areas of People, Mealey's Daubert and Expert Admissibility Conference, pp. 401-28, Mealey's Publications, 1999
- Proceedings, Technical Issues: The Migration of Toxins to Surrounding Areas of People, Mealey's Daubert & Expert Admissibility Conference, pp. 401-28, Mealey's Publication, 1999
- Presentation, The Use of Experts to Mount a Daubert Challenge to the Plaintiff's Case, Mealey's Daubert & Expert Admissibility Conference, Amelia Island, Florida, February 25-26, 1999
- Mealey's Toxic Torts: New Exposures Conference 1997, The Mechanics of Environmental Health Surveillance and Medical Monitoring, Proceedings, pp. 315-26, Mealey's Publications, 1997
- Proceedings, Current and Historical American Asbestos Regulations, 1st Italy – USA Conference on Malignant Mesothelioma and Other Asbestos Related Neoplasms, May 30, 1997, Monaldi Archives for Chest Disease
- Invited Speaker, Current and Historical American Asbestos Regulations, 1st Italy – USA Conference on Malignant Mesothelioma and Other Asbestos-Related Neoplasms, Belgirate, Novava, Italy, May 29-30, 1997
- Presentation, SV-40-Contaminated Polio Vaccine Litigation, Mealey's Toxic Torts: New Exposures Conference 1997, Amelia Island, Florida, January 20-22, 1997



Publications and Presentations

- Presentation, Problems, and Pitfalls in Medical Monitoring: Recent Developments, Mealey's Toxic Torts: New Exposures Conference 1997, Amelia Island, Florida, January 20-22, 1997
- Mealey's Toxic Torts: New Exposure Conference 1997, The Mechanics of Environmental Health Surveillance and Medical Monitoring: A Checklist and Outline, Proceedings, pp. 315-26, Mealey's Publications, Inc., 1997
- Participant, Workshop, Simian Virus 40 (SV 40): A Possible Human Polyomavirus, National Institutes of Health, Bethesda, Maryland, January 27-28, 1997
- Invited Participant, Workshop on Recent Advances on Pleural Mesothelioma, Department of Clinical Science and Biology, University Turin (Dipartimento di Scienze Cliniche e Biologiche-Universita di Torino) Turin, Italy, May 7-8, 1996
- Invited Speaker, Natural Resources/Restoration Damages, Mealey's Toxic and Mass Torts: New Exposures Conference, Philadelphia, Pennsylvania, March 21-22, 1996
- Minnesota Defense Lawyers Association (MDLA), Toxic Tort/Environmental Law Committee, GET THE LEAD OUT – The Toxicology of Lead Exposure, Cross Examination of the Plaintiff's Expert, Robert D. Brownson and Dr. Daniel Keyler, Minneapolis, Minnesota, June 29, 1995
- IAQ Publications, Inc., Indoor Environment '95 Strategies for the New Era of Regulation, IAQ (Indoor Air Quality) Litigation: A Mock Trial, Parts I & II, Baltimore, Maryland, May 1-3, 1995
- IAQ Publications, Inc., Lead Poisoning Report, Vol. 4, No. 1, Mock Trial Demonstrates Uncertainty In Childhood Lead Poisoning Cases, November, 1994
- IAQ (Indoor Air Quality) Publications, Inc., Lead Tech '94 Conference, A Mock Trial, Robert D. Brownson and Steven Hays, Chairman, Gobbell Hays Partners, Washington, D.C., October 19, 1994

Note, Notice of Claim Requirement Under the Minnesota Municipal Tort Liability Act, 4 Wm. Mitchell Law Rev., Vol. 1, p. 93, 1978