

MINNESOTA LAWYER
ATTORNEYS
OF THE **YEAR 2011**

**LEWIS A.
REMELE JR.**



Bassford & Remele

Lewis A. Remele Jr. of Bassford & Remele helped Seagate Technology LLC attain a \$525 million arbitration award in a trade secret case against the Western Digital Corp. and a former Seagate employee, but he is quick to point out that he had a lot of help.

Remele credits his team, including partners Fred Finch, Jan Gunderson, Mark Bradford and associate Jeff Mulder, with helping him achieve the positive outcome. He also credited three other lawyers who are now at Jones Day's Irvine office with the outcome.

The case arose when Dr. Sining Mao went to work for Western Digital. Mao had been involved in developing cutting-edge TMR technology for computer hard drives at Seagate. The case alleged that when Mao left Seagate in 2006, he took the trade secrets related to that technology to Western Digital.

The lawsuit was filed in 2006, alleging a theft of trade secrets and a breach of Mao's employment contract with Seagate. Remele was the lead attorney for Seagate during the seven-week arbitration trial last summer, which led to the Nov. 18, 2011, decision awarding Seagate half a billion dollars.

"It was a very hard-fought case," Remele said, noting that about 80 pretrial orders were issued. "The arbitration itself was nearly four years from the time it started until we got an award."

Remele, who took over as counsel in 2009, said he drew upon his 36 years of experience as a litigator, as well as his experience serving as an arbitrator and special master.

"I do think that serving as an arbitrator does help when you become an advocate in an arbitration because it puts you in the shoes of having to be a fact finder and having to make a decision in a dispute," Remele said.

Remele said one of his noteworthy experiences was serving as a special master, appointed by U.S. District Court Judge Michael Davis in the Baycol litigation. That was multi-district litigation involving thousands of cases related to Baycol, a cholesterol drug linked to a serious muscle condition and more than 100 deaths.

One significant issue in the case remains in the Seagate matter — determining when interest on the award should begin accruing. Seagate alleges it should go back to the filing of the case, which would mean an additional \$270 million. A decision is expected this year.

— Tony Anderson

