



## BASSFORD REMELE

**Andrea E. Reisbord**  
SHAREHOLDER



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### PRACTICE GROUPS

Appellate Practice  
Insurance Coverage

### INDUSTRY GROUPS

Insurance

### OVERVIEW

Ms. Reisbord is an insurance coverage and appellate attorney with nearly 30 years of experience, having argued hundreds of cases in state and federal trial and appellate courts during her career.

Ms. Reisbord provides local, national, and international insurers in-depth coverage opinions and litigation services and has brought a number of significant insurance cases to the Minnesota Supreme Court, the Minnesota Court of Appeals, and the Eighth Circuit Court of Appeals. She is experienced in multiple coverage lines, including auto, commercial general liability, directors and officers, errors and omissions, homeowners, professional liability, property and casualty, employment practices, employee benefits liability, and trucking.

Ms. Reisbord is the firm's Insurance Coverage Practice Group Chair. She is a member of the Minnesota Defense Lawyers Association's Insurance Law Committee and is the past Editor in Chief of MDLA's *Minnesota Defense* magazine. She previously served on the MDLA Board of Directors from 2014 to 2018.

### EDUCATION & ADMISSIONS

#### Education

UCLA School of Law, J.D., 1990

Occidental College, B.A., *magna cum laude*, 1987

- Phi Beta Kappa

#### Bar Admissions

- U.S. Court of Appeals, Eighth Circuit
- U.S. District Court, District of Minnesota
- U.S. District Court, Central District of California
- Minnesota
- Wisconsin
- California (inactive)

### EXPERIENCE

#### Representative Cases

Ms. Reisbord has, through her insurance coverage and appellate advocacy experience, helped to develop and clarify the law on a number of issues of importance to both her insurer clients and their insureds.

- Obtained dismissal of a demand for appraisal based on property policy's two-year suit limitations provision.
- Part of appellate team that obtained North Dakota Supreme Court affirmance of summary judgment granted insurer based on meaning of "insured premises;" *Clark v. Farmers Union Mut. Ins. Co.*, 2015 ND 300, 872 N.W.2d 620.
- Successfully argued and obtained the first Minnesota appellate decision formally recognizing the distinction between "the" and "any" insured in a policy exclusion; *SECURA Supreme Ins. Co. v. M.S.M.*, 755 N.W.2d 320 (Minn. Ct. App. 2008).
- Successfully argued on behalf of all insurer appellants and obtained a favorable decision from the Minnesota Supreme Court articulating principles related to time-on-the-risk method of allocating insurance coverage in construction defect litigation, and method of allocating defense costs; *Wooddale Builders, Inc. v. Maryland Cas. Co.*, 722 N.W.2d 283 (Minn. 2006).

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### Additional Representative Cases

- Addressing statutory immunity associated with a counselor's duty to warn of threatening statements made by patient during a counseling session; *Expose v. Thad Wilderson & Assocs., P.A.*, 863 N.W.2d 95 (Minn. Ct. App. 2015).
- Addressing agent's authority to bind high risk workers' compensation coverage at time of application.
- Affirming summary judgment finding no coverage for class action settlement of student loan dispute.
- Affirming summary judgment in slip and fall case.
- Addressing scope of appraisal provision in homeowner's policy; *Quade v. SECURA Ins. Co.*, 814 N.W.2d 703 (Minn. 2012).
- Dismissing property insurer's claims for subrogation and contribution from "forced placed" insurance carrier.
- Upholding dismissal of medical malpractice case based on insufficiencies in expert witness affidavits.
- Applying primary assumption of risk doctrine to skier/skier collision; *Peterson ex. rel. Peterson v. Donahue*, 733 N.W.2d 790 (Minn. Ct. App. 2007).
- Obtained dismissal based on statute of limitations.
- Interpreting and applying real property improvement statute of repose to contribution claim; *Weston v. McWilliams & Assocs., Inc.*, 716 N.W.2d 634 (Minn. 2006).
- Burden of proof in workers' compensation subrogation action and effect of 2000 amendments to Workers Compensation Act; *Zurich Am. Ins. Co. v. Bjelland*, 710 N.W.2d 634 (Minn. 2006).
- Priority of insurance coverage; *Carolina Cas. Ins. Co. v. Burbach*, 354 F.3d 929 (8th Cir. 2004).
- Construction defect coverage case.
- Affirming summary judgment and finding no duty to defend based on numerous policy conditions and exclusions.
- Upholding summary judgment on uninsured motorist claim based on failure to establish causation.
- Addressing scope of coverage under blanket additional insured endorsement; *Andrew L. Youngquist, Inc. v. Cincinnati Ins. Co.*, 625 N.W.2d 178 (Minn. Ct. App. 2001).
- Medical malpractice action concerning proper service of process on members of purported joint enterprise for statute of limitations purposes; *Mellett v. Fairview Health Servs.*, 634 N.W.2d 421 (Minn. 2001).
- Holding that award of medical expenses does not require award of pain and suffering damages; *Raze v. Mueller*, 587 N.W.2d 645 (Minn. 1999).
- Involving application of sexual abuse statute of limitations to claim of repressed memory; *W.J.L. v. Bugge*, 573 N.W.2d 677 (Minn. 1998).
- Affirming dismissal of claim brought pursuant to Fair Debt Collection Practices Act.
- Upholding denial of coverage based on non-trucking use limitation in commercial auto policy.
- Apportioning uninsured motorists benefits between UM carriers; *Cont'l Cas. Inc. Co. v. Teachers Ins. Co.*, 532 N.W.2d 275 (Minn. Ct. App. 1998).

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- Addressing contractual waiver of subrogation.
- Obtained summary judgment in Federal Employer's Liability Act case involving indemnification claim; *Servais v. T.J. Mgmt. of Minneapolis, Inc.*, 973 F. Supp. 885 (D. Minn.1997).
- Contractual indemnification case; *Katzner v. Kelleher Const.*, 545 N.W.2d 378 (Minn. 1996).
- Reinstating directed verdict based on open and obviousness of hazard; *Baber v. Dill*, 531 N.W.2d 493 (Minn. 1995).
- Rejecting claim for prejudgment interest where policy limits were tendered within 30-days of demand.
- Affirming summary judgment to insurance carrier based on insured's late notice of claim; *Hooper v. Zurich Am. Ins. Co.*, 552 N.W.2d 31 (Minn. Ct. App. 1996).
- Enforcing indemnification under paragraph 7 of the AGC Standard Subcontract Agreement; *Van Vickle v. C. W. Scheurer and Sons, Inc.*, 556 N.W.2d 238 (Minn. Ct. App. 1996).

**Publications**

- *The Ever-Evolving CGL Pollution Exclusion*, co-author, For the Defense, DRI, May 2020
- *Minnesota*, co-author, The DRI Defense Library Series Uninsured and Underinsured Motorist Coverage Compendium, DRI, 2016
- *History of Personal and Advertising Injury*, co-author, The DRI Defense Library Series Coverage B: Personal and Advertising Injury Compendium, DRI, 2014
- *Construction Litigation Coverage*, co-author, Chapter 24 Update, Minnesota Insurance Law Deskbook, Minnesota Continuing Legal Education, 2017
- *Commercial Trucking Insurance*, co-author, Minnesota Motor Vehicle Accident Deskbook, Minnesota Continuing Legal Education, 5th ed., 2014; Minnesota Insurance Law Deskbook, Minnesota Continuing Legal Education, 4th ed., 2015

**Seminars**

Ms. Reisbord has given numerous presentations on trending insurance coverage issues during the course of her career.

- *Insurance Law 101*, co-presenter, Minnesota Multi Housing Association Annual Working Together Conference, April 19, 2017
- *Winning the Appeal with a Persuasive Brief*, co-presenter with Judge Jill Flaskamp Halbrooks and Professor Cathryn Middlebrook, Appellate Practice Institute, March 24, 2017
- *An Attorney's Guide to CGL Policy and Coverage*, co-presenter and co-author, National Business Institute Webinar, May 20, 2016
- *The Minnesota Standard Fire Insurance Policy: Key Provisions Every Real Property Lawyer Should Know*, co-presenter, Hennepin County Bar Association, February 25, 2016
- *Commercial General Liability Policy: The Complete Guide for Attorneys*, co-presenter, and co-author, National Business Institute Webinar, December 9, 2015

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**PROFESSIONAL & CIVIC**

**Professional Achievements**

- Claims and Litigation Management Alliance, Selected Member

**Bar Associations**

- Minnesota State Bar Association
  - Appellate Council
  - Governing Council, past member
- State Bar of Wisconsin
- Hennepin County Bar Association

**Professional Associations**

- Defense Research Institute
- Minnesota Defense Lawyers Association
  - Board of Directors, 2014-2018
  - Editorial Committee, past Chair
  - *Minnesota Defense* magazine, past Chief Editor
  - Insurance Law Committee
- Minnesota Supreme Court Historical Society
- Wisconsin Defense Counsel

**Civic Involvement**

- Prodeo Academy, tutor, 2018-present

**ACCOLADES**

**Honors & Awards**

- *The Best Lawyers in America*, Insurance Law, 2014-present
- Minnesota Super Lawyers list, *Super Lawyers*, 2011-present
- Minnesota Rising Stars list, *Super Lawyers*, 2005
- *Super Lawyers*, Business Edition, Insurance Coverage, 2012