



BASSFORD REMELE

Mark D. Covin
SHAREHOLDER



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PRACTICE GROUPS

Construction
General Liability
Products Liability

INDUSTRY GROUPS

Agribusiness
Construction

OVERVIEW

Mr. Covin has more than 27 years of trial experience representing clients in complex commercial and multi-party cases, with a focus on catastrophic injury and wrongful death, fire and explosion, and commercial and residential construction matters.

As an experienced litigator, Mr. Covin has successfully represented clients in numerous jurisdictions involving injury, fire, arson, and subrogation claims, as well as construction defect, risk-shifting, and contractual indemnity matters. He has tried a substantial number of cases throughout Minnesota and Wisconsin, and has argued many matters at the appellate level.

Mr. Covin serves as a Qualified Neutral under Rule 114 of the Minnesota General Rules of Practice. He also serves as Bassford Remele's General Liability Practice Group Chair.

EDUCATION & ADMISSIONS

Education

Hamline University School of Law, J.D., 1991
- *Journal of Public Policy & Practice*, staff member
University of Minnesota, B.A., 1987

Bar Admissions

- U.S. District Court, District of Minnesota
- U.S. District Court, District of South Dakota
- U.S. District Court, Eastern District of Wisconsin
- U.S. District Court, Western District of Wisconsin
- Minnesota
- South Dakota
- Wisconsin

Judicial Clerkships

Qualified Neutral Under Rule 114 of the Minnesota General Rules of Practice

EXPERIENCE

Representative Cases

- Representing insurer in multi-million dollar property subrogation lawsuit arising out of a fire at a warehouse facility.
- Successfully represented mortgage company in a residential mortgage in a multi-million dollar action arising out of allegedly defective mortgage loans; *In re: RFC & ResCap Liquidating Tr. Litig.*, 2017 U.S. Dist. LEXIS 114352 (D. Minn. July 21, 2017).
- Obtained summary judgment on behalf of an insurer affirming the lack of a duty to defend its insured in an underlying commercial dispute; *Food Mkt. Merch., Inc. v. W. Bend Mut. Ins. Co.*, 2016 U.S. Dist. LEXIS 40770 (D. Minn. Mar. 28, 2016).
- Successfully represented insurance company in an action to enforce defense and indemnity obligations; *Metro. Prop. & Cas. Ins. Co. v. Marti*, 162 F. Supp. 3d 868 (D. Minn. 2016).
- Obtained favorable result for a defendant contractor in a commercial litigation matter; *Dakota Hotel Ventures, LLC v. David Baumann-Architect, Ltd.*, 2016 U.S. Dist. LEXIS 26497 (D.S.D. 2016).

Mark D. Covin

SHAREHOLDER

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- Obtained summary judgment for insurance carrier in an action to enforce defense and indemnity obligations; *Bergen v. Grinnell Mut. Reinsurance Co.*, 946 F. Supp. 2d 867 (D. Minn. 2013).
- Obtained a directed verdict on behalf a construction contractor in residential construction defect lawsuit (upheld on appeal); *Gathje v. Schlemmer*, Nos. 27-CV-08-18084, 27-CV-11-22642, 27-CV-11-24887, 2012 Minn. Dist. LEXIS 191 (Hennepin Cty. Minn. Feb. 27, 2012).

Additional Representative Cases

- *Greenleaf Lofts on Nicollet Ass'n v. Master Civ. & Constr. Eng'g*, No. 27-CV-11-17757, 2013 Minn. Dist. LEXIS 97 (Hennepin Cty. Minn. Apr. 17, 2013).
- Obtained a favorable result in a property damage subrogation action claim arising out of a fire caused; *CIC Partners v. Sunbeam Prods.*, No. CIV 09-3274, 2012 WL 124982 (D. Minn. Jan. 17, 2012).
- Obtained summary judgment for a homeowner in a commercial litigation matter involving a real estate transaction; *Burmeister v. Westerhouse*, 2009 WL 234072 (Minn. Ct. App. Feb. 3, 2009).

Recent Seminars

Mr. Covin is a frequent lecturer on claim prevention and risk management, risk avoidance, large loss investigation and litigation in the construction, insurance coverage, arson and fraud investigation, and injury litigation arenas.

- *Fire Investigations: Preparing for the Future*, presenter, 68th International Training Conference, International Association of Arson Investigators, Las Vegas, NV, April 9, 2017
- *Appraisal: Navigating Procedural and Legal Issues*, presenter, private insurance company, May 6, 2015
- *Cedar Bluff v. American Family Mutual Insurance Company – A Discussion of the Issues*, presenter, MDLA Insurance Law Committee and MDLA Construction Law Committee, March 10, 2015
- *ISO's 2013 Revisions to its CGL Coverage Form*, presenter, PLRB Claims & Insurance Conference, March 31-April 1, 2015
- *Recent Developments Impacting the Appraisal Process*, presenter, private insurance company, January 14, 2014
- *Contractual Indemnity and Additional Insured Coverage*, presenter, private insurance company, August 12, 2010
- *Contractual Indemnity and Additional Insured Coverage*, presenter, private insurance company, June 23, 2010
- *Managing Major Fire Investigations*, presenter, private insurance company, December 11, 2009
- *New Issues and Practical Solutions: Managing Major Fire Investigations – A Global Perspective*, presenter, private insurance company, August 27, 2009
- *Recovering Damages and Handling Liens*, presenter, National Business Institute, Insurance Subrogation Fundamentals Seminar, May 15, 2009.

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PROFESSIONAL & CIVIC

Bar Associations

- Minnesota State Bar Association
 - Construction Law Section
- South Dakota State Bar Association
- State Bar of Wisconsin
- Hennepin County Bar Association

Professional Associations

- Associated General Contractors of Minnesota
- International Association of Arson Investigators
- National Association of Subrogation Professionals
- Minnesota Defense Lawyers Association

Civic Involvement

- Prodeo Academy, tutor

ACCOLADES

Honors & Awards

- Rated AV Preeminent® by Martindale-Hubbell®