



BASSFORD REMELE

Stephen O. Plunkett

SHAREHOLDER



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PRACTICE GROUPS

Organizational Liability for Sexual
Misconduct/Abuse
Professional Liability/
Claim Prevention

INDUSTRY GROUPS

Health Care

OVERVIEW

Mr. Plunkett concentrates his practice in health care and sexual misconduct defense, bringing more than 29 years of experience to his role as litigator and counsel.

Mr. Plunkett has defended health care and other clients in hundreds of cases involving bodily injury or the death of residents in group homes and assisted living or skilled nursing facilities. His health care team obtained a defense verdict in 2017 in a significant pressure wound injury case. Mr. Plunkett also represents corporations sued for their employees' sexual misconduct. Recently, he obtained a favorable resolution of several high-profile cases involving former high school students' sexual abuse claims.

Mr. Plunkett is Chair of the Defense Research Institute's Law Institute, where he oversees national seminars on health care law topics including long-term care, medical liability, and other related topics.

Mr. Plunkett is a member of the firm's Compensation Committee and Chair of its Strategic Planning Committee.

EDUCATION & ADMISSIONS

Education

University of Minnesota Law School, J.D., 1989

University of Minnesota, B.A., Phi Beta Kappa, 1985

Bar Admissions

- U.S. Court of Appeals, Eighth Circuit
- U.S. Court of Appeals, Tenth Circuit
- U.S. District Court, District of Minnesota
- U.S. District Court, Western District of Wisconsin
- Minnesota
- Wisconsin

EXPERIENCE

Representative Cases

- *Does AB, XY, and YZ v. Shattuck-St. Mary's Sch.*, 101 Fed. R. Evid. Serv. (Callaghan) 783 (D. Minn. Oct. 5, 2016), successful resolution of former students' suits involving claims of sexual abuse against private boarding school.
- *Fiers v. La Crosse Cty.*, 132 F. Supp. 3d 1111 (W.D. Wis. 2015), dismissal granted against claim for alleged violations of a nursing facility patient's rights under FNHRA.
- *Knutson v. Evangelical Lutheran Good Samaritan Soc'y* (private arbitration, May 2011), defense award finding no liability for defendants in alleged physical and sexual abuse of nursing home resident.
- *Ironwood Springs Christian Ranch, Inc. v. Walk to Emmaus*, 801 N.W.2d 193 (Minn. Ct. App. June 27, 2011), affirmed, defense verdict at trial involving duty of care claim.
- *Butts v. Evangelical Lutheran Good Samaritan Soc'y*, 802 N.W.2d 839 (Minn. App. 2011), reversed trial court's voluntary dismissal and ordered summary judgment for defendants.
- *Ransom v. Bethany Acad.*, 2008 WL 3289853 (Minn. App. Aug. 12, 2008), affirmed court's grant of summary judgment on premises cases involving thrown football.

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- *Fridell v. Commonbond Communities, Inc.*, 2008 WL 434616 (Minn. Ct. App. Feb. 19, 2008), affirmed trial court's dismissal under medical malpractice statute.
- *Otto v. Christianson*, 2007 WL 2703143 (Minn. Ct. App. Sept. 18, 2007), affirmed trial court's summary judgment regarding co-employee exception to workers' compensation exclusivity rule.
- *Smith v. Am. Inv'rs Network*, 2006 WL 3490964, (D. Minn. Dec. 4, 2006).
- *Westchester Fire Ins. Co. v. Cont'l Cas. Co.*, 2006 WL 786866 (Minn. Ct. App. Mar. 28, 2006).
- *Dunham v. Roer*, 708 N.W.2d 552 (Minn. Ct. App. 2006), affirmed trial court's summary judgment regarding numerous personal injury claims.
- *Doe v. Lutheran High School of Greater Minneapolis*, 702 N.W. 2d 322 (Minn. Ct. App. 2005), affirmed trial court's summary judgment regarding MN Human Rights claims.
- *Carolina Cas. Ins. Co. v. Burbach*, 354 F.3d 929 (8th Cir. 2004), reversed trial court's grant of summary judgment.
- *Lo v. Speedway SuperAmerica, LLC*, No. 2003AP001884 (Wis. Ct. App. Feb. 17, 2004); March 26, 2004, affirmed trial court's grant of summary judgment on slip and fall claim.
- *Holland v. City of Renville*, 2003 WL 21962020 (Minn. Ct. App. Aug. 19, 2003), affirmed court's summary judgment for City in premises case.
- *Metge v. Central Neighborhood Improvement Ass'n*, 649 N.W.2d 488 (Minn. Ct. App. 2002), affirmed trial court's summary judgment for Sabri on defamation and reversed summary judgment for Sabri on tortious interference claim.
- *Am. Comp. Ins. Co. v. Blue Cross Blue Shield of Minn.*, 2001 WL 69480 (Minn. Ct. App. Jan. 30, 2001).
- *Franklin v. Northside Christian Cmty. Servs.*, 2000 WL 54078 (Minn. Ct. App. Jan. 25, 2000), affirmed trial court's summary judgment for Our Savior in premises case.
- *Schulte v. LeClaire*, 2000 WL 16302 (Minn. Ct. App. Jan. 11, 2000), affirmed trial court's order enforcing settlement in personal injury case.
- *Illinois Farmers Ins. Co. v. Eull*, 594 N.W.2d 559 (Minn. Ct. App. 1999).
- *Harms v. Tabor*, 1999 WL 55497 (Minn. Ct. App. Feb. 2, 1999).
- *Humenansky v. Bd. of Regents of the Univ. of Minn.*, 958 F. Supp. 439 (D. Minn. 1997).
- *Howard v. Univ. of Minn.*, 1996 WL 22324 (Minn. Ct. App. Jan. 23, 1996), affirmed trial court's summary judgment in favor of University.
- *Nelton, Inc. v. Lamson*, 1995 WL 321518 (Minn. Ct. App. May 30, 1995).
- *Yankoupe v. Dolphin Fast Foods, Inc.*, 1995 WL 520890 (Minn. Ct. App. Sep. 5, 1995), reversed on liability issue.
- *Fraser v. Broos*, 1993 WL 328771 (Minn. Ct. App. Aug. 31, 1993).
- *Downtown St. Paul Partners v. Holiday Inns, Inc.*, 1993 WL 140843 (Minn. Ct. App. May 4, 1993).
- *Khalifa v. State, Dept. of Admin.*, 1993 WL 140852 (Minn. Ct. App. May 4, 1993), affirming trial court's judgment against Khalifa.

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- *Wheeler v. John Deere Co.*, 986 F.2d 413 (10th Cir. 1993).
- *Dornfeld v. Oberg*, 491 N.W. 2d 297 (Minn. Ct. App. 1992).
- *Conlin v. City of Eagan*, 482 N.W.2d 519 (Minn. Ct. App. 1992), affirming trial court's denial of summary judgment.
- *Stanek v. A.P.I, Inc.*, 474 N.W.2d 829 (Minn. Ct. App. 1991).

Seminars

- *Litigation & Risk Management Considerations in Senior Living & Social Services*, presenter, M3 Insurance, Minneapolis, MN, November 8, 2017
- *Section 1983 Litigation and Olmstead Defenses in Long Term Care*, presenter, M3 Annual Defense Strategies Symposium, Madison, WI, August 23, 2017
- Seminar Moderator/Planner, *Marijuana Law Seminar*, Defense Research Institute, June 22-23, 2017
- Seminar Moderator/Planner, *Medical Liability and Health Care Law Seminar*, Defense Research Institute, March 2-3, 2017
- *Power of Apology*, presenter, University of Minnesota School of Nursing, Minneapolis, MN, April 23, 2015
- *Power of Apology*, presenter, Presbyterian Homes and Services, Roseville, MN, September 11, 2014
- *Power of Apology*, presenter, Minnesota Care of the Aging Conference, Minneapolis, MN, February 25, 2013
- *Medical Spa Litigation*, presenter, 2012 Medical Malpractice Conference, Minnesota Defense Lawyers Association, Hennepin County Bar Association and Minnesota Association for Justice, Minneapolis, MN, April 19, 2012
- *Medical Spas: The Next Wave of Litigation in a Rapidly Growing Field?* presenter, Medical Liability Seminar, Defense Research Institute, New Orleans, LA, March 8-9, 2012
- *Power of Apology*, presenter, Minnesota Medical Directors Association Fall Conference, Bloomington, MN, October 22, 2009
- Committee Chair, *Nursing Home/ALF Litigation Seminar*, Defense Research Institute, Scottsdale, AZ, September 10-11, 2009
- Committee Chair, *Medical Liability Seminar*, Defense Research Institute, Orlando, FL, March 11-13, 2009
- Committee Chair, *Complex Medicine Seminar*, Defense Research Institute, San Diego, CA, November 13-14, 2008
- Committee Chair, *Nursing Home/ALF Litigation Seminar*, Defense Research Institute, Orlando, FL, September 4-5, 2008
- Seminar Moderator, *Medical Liability Seminar*, Defense Research Institute, March 7-9, 2007
- *What Meetings Hosted by Corporate Health Providers Can Do for your Seminar Attendance*, presenter, Defense Research Institute, Annual Meeting, October 11, 2006
- Seminar Moderator, *Nursing Home/ALF Litigation Seminar*, Defense Research Institute, September 7-8, 2006

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- Seminar Moderator, *Medical Liability Seminar*, Defense Research Institute, March 1-3, 2006
- *Long-Term Care Panel*, moderator, ALF Health Care Seminar, November 11, 2005
- Seminar Chair, *Nursing Home/ALF Litigation Seminar*, Defense Research Institute, September 15-16, 2005 and September 9-10, 2004
- *Discovery Issues – Defense Perspective*, presenter, Minnesota Trial Lawyers Association, Representing Injured Elders, April 16, 2004
- *Use of Technology at Trial*, presenter, Nursing Home/ALF Litigation Seminar, Defense Research Institute, September 18, 2003
- *Update on Legislative Initiatives affecting Long-Term Care*, presenter, Minnesota Institute of Legal Education, Long Term Care in Crisis, April 1, 2003
- *Use of Experts*, presenter, Minnesota Trial Lawyers Association, Fourth Annual Nursing Home Seminar, March 21, 2003
- *Successful Case Management from Investigation to Trial*, presenter, National Business Institute, Nursing Home Malpractice in Minnesota, November 22, 2002
- *Trends in Nursing Home Litigation*, presenter, Nursing Home/ALF Litigation Seminar, Defense Research Institute, September 12, 2002
- *Use of Experts*, presenter, Minnesota Institute of Legal Education, Nursing Home Litigation, June 28, 2002
- *Defense Perspective on Discovery*, presenter, Minnesota Trial Lawyers Association, Third Annual Nursing Home Seminar, February 22, 2002
- *Handling the Defense of Personal Injury Claims through Trial*, presenter, National Business Institute, Trying the Automobile Injury Case, March 1, 2002
- *Nursing Home Liability*, presenter, Minnesota Health & Housing Alliance, July 31, 2001
- *11th Amendment Immunity*, presenter, Federal Bar Association, June 1, 2000
- *Laws Regulating Insurance Agents*, presenter, Prosource, October 29, 1999
- *Litigation Issues for Agents & Brokers*, presenter, Minnesota Institute of Legal Education, Minnesota Law on Insurance Agents & Brokers, October 20, 1999
- *Agent and Brokers Liability*, presenter, Prosource, May 10, 1999
- Course Co-Chair, *Minnesota Defense Lawyers Association, Release Deskbook*, September 23, 1998
- *Settlement and Ethics*, presenter, National Business Institute, Adjusting the Automobile Injury Claim, March 10, 1998
- *Defense Planning, Settlement Methods, Ethical Considerations, Trial, and Post-Trial Motions*, presenter, National Business Institute, Trying the Automobile Injury Case, February 15, 1995
- *CGL Issues and Answers*, presenter, Prosource, October 12, 1993 and September 17, 1993

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PROFESSIONAL & CIVIC

Bar Associations

- Minnesota State Bar Association
- State Bar of Wisconsin
- Hennepin County Bar Association

Professional Associations

- Minnesota Defense Lawyers Association
- Defense Research Institute
 - Law Institute
 - Chair, 2018-present
 - Vice Chair, 2016-2018
 - Member, 2008-present
 - 2019 Annual Meeting Planning Committee
 - Medical Liability and Health Care Law Committee
 - Chair, 2007-2008
 - Long-Term Care Subcommittee of the Medical Liability and Health Care Law Committee
 - Chair, 2005-2007

ACCOLADES

Honors & Awards

- *The Best Lawyers in America*, Personal Injury Litigation – Defendants, 2018-present; Professional Malpractice Law, 2019
- Rated AV Preeminent® by Martindale-Hubbell®
- Minnesota Super Lawyers list, *Super Lawyers*, 2007-present
- Minnesota Super Lawyers Top 100 list, *Super Lawyers*, 2009