



RICHARD W. BALE

Rick represents businesses in litigation and arbitrations across the country in product liability, insurance, environmental and professional liability matters. Rick manages risk toward sensible and cost-effective solutions for his clients under different alternative fee arrangements.

CONTACT

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PRACTICE AREAS

Agribusiness
Business Litigation
Environmental & Natural Resources
Financial Services
Insurance
Product Liability
Professional Liability
Cyber Risk & Data Security
Energy

Rick pursues product liability litigation using creative strategies focused on early case resolution and an in-depth analysis of product engineering, testing, third-party certification and labeling. Rick has extensive experience leading multi-disciplinary investigations of catastrophic fires, explosions and other accidents.

Rick represents major corporate policyholders and insurers in coverage matters under both occurrence and claims-made insurance programs. Rick represented a Fortune 200 company in presenting and litigating insurance claims involving asbestos, environmental and chemical liabilities under a complex multi-layered insurance program. Rick managed environmental coverage litigation nationwide for a large liability insurer for several years. He has litigated significant coverage matters involving historical environmental liabilities, first-party property policy losses, advertising injury claims, excess policies and certificates, reinsurance and overseas underwriters. Rick has tried coverage cases to juries and before arbitration panels involving environmental damage, arson and floods.

Rick began his practice over 25 years ago in the environmental law field, where he represented a railroad and other corporate clients in Superfund litigation across the country. Rick was selected to the steering committee of a major PRP group, and has negotiated consent decrees with the United States Department of Justice and the United States Environmental Protection Agency. Rick has advised businesses on compliance with air and hazardous waste regulations and in connection with environmental agency enforcement actions.

Rick represents both plaintiffs and defendants in cases involving professionals in the medical and construction industries. Rick has pursued claims against, and defended, architects and engineers in construction defect and property damage cases.

LAW SCHOOL

William Mitchell College of Law, J.D., *cum laude*, 1990
Mitchell Hamline College of Law, Certificate in Cybersecurity and Privacy Law, 2017

COLLEGE

University of Minnesota, B.A., 1986

MEMBER

American Bar Association

- Past Chair (2011-2012), Professionals', Officers' and Directors' Liability Committee (PODL) in the Tort Trial Insurance Practice section

USLAW Network
Minnesota State Bar Association
Hennepin County Bar Association
National Fire Protection Association (NFPA)

ADMITTED

Minnesota Supreme Court; U.S. District Court, District of Minnesota; U.S. District Court, Central District of Illinois; U.S. Court of Appeals, Eighth Circuit

PUBLICATIONS & SEMINARS

"Implications of the 2016 Product Recalls to the 2017 Product Liability Landscape," The Knowledge Group, June 1, 2017.

"Financial Fraud Litigation," The Practical Litigator, March 2011.

"Reassessing Insurance Coverage: The Legacy of Recent Financial Fraud Schemes?," Tort Source Spring 2010.

"Aiding and Abetting Liability in the Subprime Lending Litigation," Professionals' Officers' and Directors' Liability Committee Winter 2008 Newsletter.

"New Developments in Accountant Liability to Third Parties," Professionals' Officers' and Directors' Liability Committee Fall 2008 Newsletter.

"The Art of the Settlement," National Business Institute (NBI), June 12, 2008.

"Insurance Law Update: Understanding Current Coverage Trends," National Business Institute (NBI) June 21, 2007.

"Advertising Injury Coverage," Minnesota Defense Lawyers Association Insurance Law Institute, January 25, 2007.

"Personal and Advertising Injury Liability: Coverage Issues," National Business Institute (NBI) 2007.

"Appellate Trends in Construction Law," USLAW Spring 2006 Client Conference.

"Expert Testimony In The Courtroom," 14th Annual Conference of the International Association of Arson Investigators, Minnesota Chapter, March 21, 2001.

"Resource Conservation and Recovery Act," Environmental Reporting and Recordkeeping Requirements (3rd ed.) published by Government Institutes, December 1994.

"Lender Liability," "Environmental Contractors," and "Minnesota's Petrofund Law," National Business Institute (NBI), September 1992.

"Avoiding Environmental Liability In Minnesota," National Business Institute (NBI), September 1992.

REPORTED DECISIONS

Bell Lumber and Pole Co. v. U.S. Fire Ins. Co., 835 F. Supp. 315 (D. Minn. 1994), *aff'd*, 60 F.3d 437 (8th Cir. 1995).

United Technologies Automotive Systems, Inc. v. Affiliated FM Ins. Co., 725 N.E. 2d 871 (Ind. App. 2000), *transfer denied*.

Arrowhead Electric Cooperative, Inc. v. LTV Steel Mining Co., 568 N.W.2d 875 (Minn. App. 1997).

Keitzer v. Blake Builders, Inc., 2003 WL 1962446 (Minn. App. April 29, 2003).