



Brandon R. Underwood

SHAREHOLDER

Des Moines

515.242.8920

bunderwood@fredlaw.com

Services

Construction

Employment & Labor
Litigation

Class Action/Wage & Hour
Litigation

Litigation

Non-Competes

Brandon is an experienced trial and appellate lawyer. He's tried multiple cases to jury verdict, advocated in multiple bench trials, and briefed and argued several appeals in the state and federal systems. Brandon has also successfully opposed a petition for writ of certiorari in the United States Supreme Court.

In his litigation practice, Brandon represents parties in disputes involving contracts, negligence, business torts, fraud, and mergers and acquisitions. Brandon also represents employers and individuals in employment litigation involving discrimination, harassment, and the Fair Labor Standards Act. He has drafted and enforced non-compete and trade secret agreements in state and federal courts.

In his construction practice, Brandon serves owners, developers, and contractors on public and private construction projects to resolve disputes in mediation, arbitration and litigation. His experience includes mechanic's liens, bid protests, defects, delays, negligence, DBE compliance, and federal construction contracts. He also drafts construction contracts and advises clients on them.

Before joining Fredrikson, Brandon worked as a law clerk to the Honorable Stephanie M. Rose of the U.S. District Court for the Southern District of Iowa and to the Honorable Justice Bruce B. Zager of the Iowa Supreme Court.

Experience

- Obtained a jury verdict of over \$1 million in a construction-equipment lease dispute.
- Obtained reversal on appeal of trial court ruling following bench trial awarding over nearly \$1 million in damages in construction dispute.
- Defeated claims against national wireless carrier involving tower lease.
- Defeated veil-piercing claims under Iowa law following bench trial.
- Successfully defended healthcare entity at bench trial and on appeal against claim alleging breach of fiduciary duty.
- Obtained preliminary injunction in trade secrets and non-compete dispute following two-day evidentiary hearing in federal court.

- Obtained dismissal of case against foreign manufacturer from federal for court lack of jurisdiction.
- Obtained affirmance in Eighth Circuit of trial court rulings dismissing retaliation, discrimination, harassment claims and successfully opposed a petition for writ of certiorari in the United States Supreme Court.
- Obtained summary judgment for insurer client in case challenging denial of life-insurance benefits.
- Obtained summary judgement for local bank client in case involving employee embezzlement.
- Obtained summary judgment in federal court for national telecommunications client in contract dispute with local government.
- Obtained dismissal of student-loan services of multiple cases in federal court, including cases alleging violations of the Telephone Consumer Protection Act.
- Represented multiple employers in cases alleging violations of the Fair Labor Standards Act.

Credentials

Education

- University of Iowa College of Law, J.D., 2013, *with high distinction*
- University of Iowa, B.A., 2010

Admissions

- Iowa, 2013
- Minnesota, 2021
- U.S. District Court for the Southern District of Iowa, 2016
- U.S. District Court for the Northern District of Iowa, 2016
- U.S. District Court for the District of Minnesota, 2021
- U.S. District Court for the Central District of Illinois, 2023
- U.S. District Court for the Northern District of Illinois, 2021
- U.S. District Court for the Western District of Wisconsin, 2022
- U.S. Bankruptcy Court for the Northern District of Iowa, 2021
- U.S. Bankruptcy Court for the Southern District of Iowa, 2017
- U.S. Court of Appeals for the Eighth Circuit, 2019
- U.S. Supreme Court, 2020

Clerkships

- Law Clerk, Honorable Stephanie M. Rose, U.S. District Court for the Southern District of Iowa, 2014-2016
- Law Clerk, Honorable Justice Bruce B. Zager, Iowa Supreme Court, 2013-2014

Recognition

- North Star Lawyer, Minnesota State Bar Association, 2021
- *Best Lawyers: Ones to Watch®*, Construction Law, Labor and Employment Law – Management, 2021-2023
- *Great Plains Super Lawyers*, Rising Star—Business Litigation, 2018-present
- Outstanding Student Writer Award, *Journal of Corporation Law*, Volume 37

Civic & Professional

Professional Activities

- Iowa State Bar Association, Council Member, Construction Law Section Council, 2017-present
- Iowa State Bar Association, Member
- Polk County Bar Association, Member
- Associated General Contractors of Iowa Leadership Academy, 2017-2018
- Blackstone Inn of Court, Associate 2017-2018
- Ankeny Young Professionals
- *Journal of Corporation Law*, Administrative Editor, Volume 38; Writer, Volume 37

Community

- Spina Bifida Association of Iowa, Board of Directors, 2017-2020

News

Firm News | 06.16.2022

Fredrikson & Byron Attorneys Recognized as North Star Lawyers

Publications & Presentations

Presenter, “2022 Annual Meeting,” Iowa State Bar Association, June 2022

Presenter, “Construction Law Seminar,” Iowa State Bar Association, May 2022

Presenter, "Construction Law: Advanced Issues and Answers," National Business Institute, June 2020

Author, "Iowa Supreme Court to Hear Appeal over Drug-Testing Notice Requirement," Iowa Employment Law Blog, May 20, 2020

Author, "Iowa Supreme Court Grants Further Review in Important Drug-Testing Case," Iowa Employment Law Blog, April 3, 2020

Presenter, "Delays and Other Problems on Construction Projects," Iowa State Bar Association, March 2020

Author, "Iowa Supreme Court Rejects Wrongful-Discharge Claim for Violations of Workplace-Drug-Testing Statute," Iowa Employment Law Blog, December 20, 2019

Co-presenter, "What To Do When Your Secrets Are Compromised by a Key Employee," Iowa Biotechnology Association, October 2019

Author, "Iowa Supreme Court to Address whether Wrongful-Discharge Claim Supplements Remedy in Workplace-Drug-Testing Statute," Iowa Employment Law Blog, October 14, 2019

Author, "Iowa Supreme Court 2018-2019 Term in Review: Labor and Employment Edition (Part II)," Iowa Employment Law Blog, August 20, 2019

Author, "Iowa Supreme Court 2018-2019 Term in Review: Labor and Employment Edition (Part I)," Iowa Employment Law Blog, August 1, 2019

Author, "Despite Most Headlines, U.S. Supreme Court Decision On Title VII Exhaustion Requirements Likely to Have Limited Application," Iowa Employment Law Blog, June 5, 2019

Co-presenter, "Construction Law Boot Camp," National Business Institute, June 2019

Author, "Eighth Circuit Jurisdictional Ruling Offers a Lesson in Drafting Arbitration Agreements," Iowa Employment Law Blog, May 31, 2019

Author, "Court Finds Employer's Inquiry about Health Conditions of New Employees Absorbed in Merger Complies with ADA," Iowa Employment Law Blog, January 4, 2019

Presenter, "Troubleshooting Construction Project Legal Issues," National Business Institute, December 2017

Note, "Tread Lightly: Third-Party Retaliation Claims after *Thompson v. North American Stainless*," 38 J. Corp. L. 464