



Gregory E. Karpenko

SHAREHOLDER

Minneapolis

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Services

Litigation

Medical Practices Defense

Health Law

Greg is a skilled litigator and trial lawyer who zealously represents clients in health care litigation and complex commercial disputes in state and federal courts across the United States.

Greg represents health systems, hospitals, clinics, medical device companies, independent physician groups and individual professionals in health care litigation, medical malpractice cases, professional board proceedings, and commercial and contract disputes. He also represents commercial clients in litigation involving contract disputes, business torts, mergers and acquisitions, technology-related claims, and other business disputes.

Clients value Greg as a trusted advisor and advocate who understands their strategic objectives and delivers results that meet their business and professional needs. He works collaboratively with clients to develop a shared litigation and trial strategy to successfully resolve disputes at the appropriate stage, from pre-suit negotiations through trial.

Greg has been recognized as a Super Lawyer by Minnesota Super Lawyers and a Ranked Attorney by Chambers USA: Leading Lawyers for Business. He has served as Co-Chair of Fredrikson's Business Litigation Department and has served on the firm's Recruiting & Hiring, Associate Development, and Diversity Committees. Greg is also a leader in Fredrikson's legal project management initiatives. Prior to joining the firm, he clerked for Judge Richard H. Kyle in the U.S. District Court of Minnesota.

Experience

Health Care Litigation

- Represented Mayo Clinic and its physicians in numerous malpractice cases, trials and commercial disputes.
- Represented a regional medical center in an arbitration proceeding against one of Minnesota's largest insurers for improper reimbursement of medical services. Greg obtained an award in excess of \$1.4 million.
- Successfully obtained injunction enforcing physician non-compete on behalf of cardiology group against former employee and competing hospital.

- Advised and represented health care providers on proceedings with the Minnesota Board of Medical Practice, Minnesota Board of Psychiatry, Minnesota Board of Pharmacy and Minnesota Board of Chiropractic Examiners.
- Represented and advised multiple health care providers on patient care, risk management and patient data privacy issues.

Commercial Litigation

- As counsel for the court-appointed receiver, recovered more than \$90 million for victims of the Ponzi scheme operated by First United Funding, LLC.
- Won \$12.8 million arbitration award for H.B. Fuller against Accenture in a dispute regarding a global ERP implementation. View *Star Tribune* article.
- Represented court-appointed receiver in recovery of \$12 million for victims of Ponzi scheme operated by Minnesota Print Services, Inc.
- Obtained \$2.2 million trial verdict in breach of contract dispute. At the conclusion of the trial, the court advised the opposing party that if he were to take the stand again, the court would advise him of his rights not to incriminate himself.
- Represented a provider of steel mill services in a case in which Greg's client and its former partner sued each other for breach of contract. After a bench trial, the Federal District Court in Baltimore, Maryland, dismissed the partner's claims and found that Greg's client suffered several million dollars in damages.
- Represented a national bank/trustee in a lawsuit brought by the beneficiary of a trust for breach of fiduciary duty. After a trial in state court in North Dakota, the Court entered judgment in favor of the bank and dismissed all claims.
- Represented a technology company in a lawsuit in federal court in San Francisco, California, arising out of a transaction where Greg's client was negotiating a potential acquisition of a competitor's assets. When negotiations were terminated, the seller claimed it was entitled to retain the \$2,000,000 deposit made by the company. Greg successfully recovered the entire deposit for his client.
- Represented large commercial lender in fraudulent transfer action brought in federal court in New Jersey. The plaintiff sought \$40 million from our client for allegedly participating in scheme to fraudulently transfer assets to avoid payment of a judgment. After obtaining a favorable ruling from the Court, the case was successfully resolved for less than the cost of defense.
- Represented a private commercial lender in an effort to recover more than \$3 million that had been loaned to facilitate an international sale of luxury goods. The borrowers refused to repay the loans, claiming that a manufacturer located in Hong Kong had the funds. Using international discovery under the Hague Convention, we established that the loan proceeds wired by our client to a Hong Kong bank were subsequently funneled back to the borrowers in the United States. The borrowers conceded liability and agreed to repay the loans in full.

Credentials

Education

- University of Minnesota Law School, J.D., *magna cum laude*
- Valparaiso University, B.A., Philosophy, *summa cum laude*

Admissions

- Minnesota
- U.S. District Court for the District of Minnesota
- U.S. Court of Appeals for the Eighth Circuit
- U.S. Court of Appeals for the Seventh Circuit
- U.S. District Court for the Eastern District of Wisconsin

Clerkships

- Clerk, Judge Richard H. Kyle, U.S. District Court for the District of Minnesota

Recognition

- *Best Lawyers'* Lawyer of the Year in Medical Malpractice Law—Defendants, 2022
- *The Best Lawyers in America*, Commercial Litigation, Medical Malpractice Law—Defendants, 2020-present
- North Star Lawyer, Minnesota State Bar Association, 2017-2018, 2021
- Order of the Coif, Member
- Small Company Transaction of the Year, Turnaround Management Association—Minnesota Chapter, 2018
- *Minnesota Super Lawyers*, Business Litigation, 2016-2020
- Rising Star, *Minnesota Super Lawyers*, 2005-2007
- *Chambers USA: America's Leading Lawyers for Business*, Minnesota—Litigation: General Commercial, 2013-2017
- *Chambers USA: America's Leading Lawyers for Business*, Up and Coming, Minnesota—Litigation: General Commercial, 2011-2012
- BTI Client Service All-Star

Civic & Professional

Professional Activities

- U.S. District Court for the District of Minnesota, Judicial Reappointment Panel, Chief Magistrate Judge Arthur J. Boylan
- American Bar Association, Member
- Minnesota State Bar Association, Civil Litigation Section, Member
- Hennepin County Bar Association, Member
- Volunteer Lawyers Network, Member
- *Minnesota Law Review*

News

Firm News | 06.16.2022

Fredrikson & Byron Attorneys Recognized as North Star Lawyers

Firm News | 09.06.2018

Fredrikson & Byron Wins Turnaround Management Association's 2018 Transaction of the Year and Non-Profit Turnaround of the Year Awards

Firm News | 02.23.2016

Fredrikson & Byron Obtains \$12.8 Million Award for H.B. Fuller Company Against Accenture for Software Implementation Failure