



Kyle W. Ubl

SHAREHOLDER

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Services

Litigation

Appellate

Real Estate Litigation

Construction

Banking & Financial Services
Litigation

Oil & Gas

Shareholder & Partnership
Disputes

Trusts & Estates Litigation

Kyle brings legal creativity and practical solutions to the table to help clients achieve their litigation and business goals.

Kyle assists clients in a wide spectrum of litigation matters, including high stakes bet-the-company litigation, fiduciary claims, shareholder disputes, disputes between family members and business partners, and real estate and construction matters. He also has litigated government contracting disputes and matters involving the oil and gas and banking and financial services sectors. He has been designated as a “Rising Star” by Minnesota Super Lawyers.

A zealous advocate inside and outside the courtroom, Kyle has experience in all stages of complex civil litigation, including drafting pleadings and briefs, engaging in written and deposition discovery, arguing motions, trying cases, and handling appeals. Kyle has appeared in state and federal courts around the country. He also has practiced before arbitration panels and administrative law courts.

Prior to joining Fredrikson, Kyle served as a law clerk for the United States Court of Appeals for the Eighth Circuit. He also worked for the United States Attorney’s Office for the Northern District of Indiana.

Kyle serves on the Firm’s Attorney Development and Retention Committee.

Experience

- Defended corporate board in shareholder class action dispute alleging fiduciary violations.
- Obtained Rule 12 dismissal of shareholder claims against company; affirmed on appeal.
- Represented defendant sued for more than \$1.3 billion; obtained dismissal of all claims based on lack of personal jurisdiction and forum non conveniens.
- Represented defendant sued for breach of contract; obtained dismissal of all claims based on lack of personal jurisdiction.
- Represented bank in acquisition dispute before the Minnesota Office of Administrative Hearings and the Minnesota Court of Appeals; obtained state agency support of acquisition through litigation process.

- Tried partnership dispute involving a multifamily housing development and obtained favorable verdict.
- Obtained liability determination on summary judgment in dispute between joint owners of commercial property; settled on eve of trial and obtained attorneys' fees award.
- Defended against motion to dismiss in lawsuit filed to block foreclosure of a multi-million dollar commercial property; client redeemed the property out of foreclosure.
- Obtained temporary injunctive relief on behalf of buyer in purchase agreement cancellation proceeding involving a multi-million dollar sale of building in downtown Minneapolis; client purchased the property.
- Won summary judgment in breach of contract dispute between tenant and landlord.
- Won summary judgment in dispute between adjacent landowners under the Minnesota Marketable Title Act.
- Represented defendant sued for recovery of real estate; obtained dismissal with prejudice of all claims on motion to dismiss for failure to state a claim.
- Represented landlord-developer in litigation against tenant regarding reconfiguration of leased premises for redevelopment project.
- Obtained favorable ruling for trustee following an evidentiary hearing in dispute between trust beneficiaries concerning use of family real estate subject to trust.
- Successfully resolved case between family members concerning use of family real estate bequeathed in parents' will.
- Successfully resolved multi-million dollar pipeline dispute on behalf of project owner.
- Successfully resolved multi-million dollar construction defect case on behalf of project owner.
- Routinely represents landlords and tenants in commercial leasing disputes.
- Routinely represents contractors and project owners in mechanic's lien and construction defect disputes.
- Routinely represents lenders and borrowers in foreclosure actions.
- Currently represents plaintiff in multi-million dollar construction defect case.

Credentials

Education

- Notre Dame Law School, J.D., 2013, *summa cum laude*
- University of Notre Dame, B.A., 2010, *summa cum laude*

Admissions

- Minnesota, 2013
- North Dakota, 2014
- U.S. District Court for the District of Minnesota
- U.S. District Court for the District of North Dakota
- U.S. Court of Appeals for the Eighth Circuit

Clerkships

- Law Clerk, Honorable Raymond W. Gruender, United States Court of Appeals for the Eighth Circuit, 2013-2014
- Law Clerk, United States Attorney's Office for the Northern District of Indiana, 2011

Recognition

- *Minnesota Super Lawyers Rising Star*, Construction Litigation, 2018-2020, 2022-2023
- North Star Lawyer, Minnesota State Bar Association, 2014-2016
- Farabaugh Prize for High Scholarship in Law, Notre Dame Law School
- Hedberg Presidential Law Fellow, Notre Dame Law School

Civic & Professional

Professional Activities

- Minnesota State Bar Association, Member
- North Dakota State Bar Association, Member
- *Notre Dame Law Review*, Executive Articles Editor

Community

- Transfiguration Catholic School, Advisory Council, 2022-present
- Transfiguration Catholic Church, Capital Campaign Committee, 2019-2020
- New Century Homeowners' Association, Board of Directors, 2015-present

News

Firm News | 07.17.2023

Fredrikson Attorneys Named 2023 Minnesota Super Lawyers and Rising Stars

Firm News | 09.02.2020

Fredrikson & Byron Announces New Shareholders

Legal Updates

Legal Update | 03.24.2020

Minnesota Governor Issues Executive Order Suspending Most Residential Evictions and Writs of Recovery During COVID-19 Emergency

Publications & Presentations

Presenter, *How to Handle Residential Construction Defect Claims*, Hennepin County Bar Association CLE, August 30, 2022

Presenter, *Construction Defects & Disputes - Focus on the Right to Inspect and Repair*, Hennepin County Bar Association CLE, June 29, 2021

Presenter, *Construction Defects & Disputes*, Hennepin County Bar Association CLE, December 17, 2020

Presenter, *Mortgage Foreclosures*, Minnesota CLE: The Complete Real Estate Lawyer, July 23, 2020

Presenter, *Construction Defects & Disputes*, Minnesota Real Estate Institute, October 31, 2019