



Patrick D.J. Mahlberg

SHAREHOLDER

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Services

Condemnation & Eminent Domain

Energy Litigation

Energy Regulation & Permitting

Litigation

Renewable Fuels

Pat is an advisor to energy companies operating in Minnesota and the upper Midwest. He is the Chair of Fredrikson's Condemnation & Eminent Domain Group, and is also a member of the Transmission, Energy and Litigation Groups.

In his condemnation practice, Pat assists condemning authorities and private owners in acquisition negotiations, eminent domain actions, and the various land rights matters and disputes that go along with the construction of infrastructure. He has particular expertise representing public utilities, electric cooperatives, and pipeline companies in acquiring the necessary permits and land rights for the timely construction of plant sites and transmission corridors for electric transmission lines and pipelines in and through urban, rural, and tribal lands throughout the upper Midwest. In this practice, he has represented condemning authorities in state and federal courts on dozens of projects in timely acquiring hundreds of miles worth of land rights, handling scores of valuation disputes to conclusion, including through jury trials.

Experience

Condemnation/Eminent Domain/Transmission

- Pat represents energy companies in land rights matters, including in acquisition and permitting matters. Pat has appeared in connection with this work before state and local regulatory bodies, state and federal court, and before court-appointed Commissioners in valuation hearings.
- Pat was a leader on Fredrikson's team serving as Land Rights Counsel for the CapX2020 Transmission Projects. In that role, he assisted the CapX2020 participants in obtaining the land rights necessary to deliver the upper Midwest's largest transmission system upgrade in decades.

Litigation

- Pat represents individuals and companies in various litigation matters, with an emphasis on land rights matters, in Minnesota, North Dakota and neighboring states.

- *Powers v. Powers*, 2022 S.D. 25 (S.D. 2022) (affirming summary judgment in favor of developer in dispute over application of right of first refusal to wind energy lease agreements and easements).
- *Holdahl, et al. v. BioErgonomics, Inc., et al.*, 2013 Minn. App. Unpub. LEXIS 105 (Minn. Ct. App. Feb. 4, 2013) (affirming summary judgment for board members and corporation dismissing class action brought by shareholders asserting claims of, among others, fraudulent transfer and breach of fiduciary duties).
- *Talus Group, Inc. v. Ostrander et al.*, 2011 Minn. App. Unpub. LEXIS 874 (Minn. Ct. App. Sept. 12, 2011) (reversing trial court's decision and reinstating contract and tort claims brought by IT firm against two former employees and their new employer).
- *PEMS Co. Int'l, Inc. v. Temp-Air, Inc., et al.*, 2011 Minn. App. Unpub. LEXIS 32 (Minn. Ct. App. Jan. 11, 2011) (affirming summary judgment against alleged finder seeking fee in connection with business acquisition).
- *Diversified Water Division, Inc. v. Standard Water Control Systems, Inc.*, 2008 Minn. App. Unpub. LEXIS 1087 (Minn. Ct. App. Sept. 23, 2008) (affirming award of punitive damages against competing business).

Credentials

Education

- University of Minnesota Law School, J.D., *magna cum laude*
- St. John's University, B.A., *cum laude*

Admissions

- Minnesota
- U.S. District Court for the District of Minnesota
- North Dakota
- U.S. District Court for the District of North Dakota

Recognition

- *Best Lawyers in America*, Administrative / Regulatory Law, 2020-2024; Eminent Domain and Condemnation Law, 2022-2024; Energy Regulatory Law, 2022-2024
- Lawyer of the Year in Minneapolis for Administrative / Regulatory Law, *Best Lawyers*, 2023
- *Minnesota Super Lawyers Rising Star*, Eminent Domain, 2017-2022
- Attorney of the Year, *Minnesota Lawyer*, 2015
- Order of the Coif

Civic & Professional

Professional Activities

- Hennepin County Bar Association, Eminent Domain Section, Past Chair
- Wright County, Planning Commissioner

News

Firm News | 08.17.2023

Fredrikson Attorneys Recognized in The Best Lawyers in America© 2024

Article | 08.18.2022

Fredrikson & Byron Attorneys Recognized in The Best Lawyers in America© 2023

Firm News | 09.02.2014

Fredrikson & Byron Announces New Shareholders

Legal Updates

Legal Update | 03.25.2020

Your Private Property Rights Amidst COVID-19

Publications & Presentations

Eminent Domain 2020, MNDOT Annual Right-of-Way Conference, Brainerd, MN, 2019

Nuts and Bolts: Permitting and Land Rights, University of Minnesota Carlson School Law, Policy, and Business Energy Conference, 2019

How to Set Yourself Up For Success On Valuation Issues, MNDOT Annual Right-of-Way Conference, Brainerd, MN, 2018

Minnesota Buy-the-Farm Law: Eligibility, Benefits, and Implications, Hennepin County Bar Association Eminent Domain Section, Minneapolis, MN, 2018

Arbitration and Mediation in Eminent Domain, Hennepin County Bar Association Eminent Domain Section, Minneapolis, MN, 2016

Minnesota Buy-the-Farm Law: Eligibility, Benefits, and Implications, International Right-of-Way Association Annual Conference, Nashville, TN, 2016

Buy-the-Farm, MNDOT Annual Right-of-Way Conference, Brainerd, MN, 2015

The Use and Impact of Ancillary Easements, MNDOT Annual Right-of-Way Conference, Brainerd, MN 2014