



## Richard D. Snyder

SHAREHOLDER

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### Services

Insurance Coverage  
Litigation

Appellate

Environmental Law

Real Estate Litigation

Litigation

Energy Litigation

**Rick is a civil litigator representing businesses and individuals in a wide variety of commercial disputes.**

He also has a substantial appellate practice, and is the Chair of Fredrikson's Appellate Group. Among his specialty areas of practice, Rick represents individuals and companies in environmental disputes and insurance coverage disputes. Rick also specializes in representing landowners in disputes with governmental entities and others over land use rights. Each year Rick volunteers a substantial amount of time to represent indigent clients on a pro bono basis.

## Experience

### Environmental Compliance and Litigation

#### CERCLA/MERLA Litigation

- Superfund Litigation
  - Represent RPRs in state and federal Superfund cases
- Cost Recovery
  - Represent municipality in ongoing litigation against U.S. Army regarding funding for treatment systems to remove legacy contaminants from arsenal operations from municipal drinking water supply
  - Represent landowner plaintiffs in state court jury trial under Minnesota Environmental Response and Liability Act

#### Compliance

- Enforcement Proceedings
  - Represent clients responding to NOVs and other regulatory enforcement
  - Negotiate stipulated penalties
- Respond to CAA Section 114 information requests
- Negotiate air permit modifications
- Internal investigations and self-audits

- Develop internal environmental compliance programs

### Selected Insurance Coverage Cases

- *Damman v. Progressive Direct Ins. Co.*, 856 F.3d 580 (8th Cir. 2017): Class action alleging improper claim payments under auto insurance policies.
- *In Re Pet Food Product Liability Litigation*, MDL Docket No. 1850: Insurance coverage for \$25 million settlement of thousands of consolidated pet food product liability claims.
- *Bright Woods v. Bankers Standard Ins. Co.*, 665 N.W.2d 544 (Minn. Ct. App. 2003): Insurance coverage action for recovery of \$8 million incurred in recall of defective window components.
- *David Matthew, MD v. Unum Life Insurance Co. of America*, 639 F.3d 857 (8th Cir. 2011): Following a jury trial obtained \$1.5 million judgment against disability insurer.
- *Lakeland Pipeline Co. v. American Home Assur. Co.*, 981 F. Supp. 1205 (D. Minn. 1997): Insurance coverage for \$25 million property damage and business interruption claim following the rupture of a major petroleum pipeline.
- *JBA International, Inc. v. St. Paul Mercury Fire Ins. Co.*, No. 01-297 JNE/JGL, 01-2161 (D. Minn.): Multi-million dollar coverage and bad faith action against technology errors and omissions insurer for recovery of defense expenses, settlements and damages related to underlying lawsuits against software developer.
- *In re Silicone Implant Ins. Coverage Litigation*, 652 N.W.2d 46 (Minn. Ct. App. 2002) *aff'd in part*, 667 N.W.2d 405 (Minn. 2003): Represented insurers in \$1 billion coverage action for manufacturer's liabilities for silicone breast implants.
- *Old Republic Insurance Co. v. Thomas Pearson, et al.*, Court File No. 04-1398 JNE/RLE (D. Minn.): Coverage and bad faith action against aviation insurer following its refusal to cover claim by injured children who survived a plane crash. Insurer settled action by payment of a confidential sum representing amounts owned under policy and additional damages.

### Selected Land Use Cases

- *EHW Properties v. City of Eagan, U.S. District Court, District of Minnesota, Case No. 00-CV-690 (JMR/FLN)*: Takings claim and challenge to City's action of downzoning client's property from commercial to single-family residential zoning classification. City settled prior to trial by restoring prior zoning and paying damages.
- *Minnesota Center for Environmental Advocacy v. City of St. Paul Park*, 711 N.W.2d 526 (Minn. App. 2006): Defeated challenge by environmental group to 665-acre multi-use housing project on Mississippi River.

### Selected Appellate Cases

- *Damman v. Progressive Direct Ins. Co.*, 856 F.3d 580 (8th Cir. 2017): Affirmed dismissal of class action lawsuit against automobile insurer alleging improper application of deductibles in claim payments.
- *Jerry's Enterprises Inc. v. U.S. Specialty Ins. Co.*, 845 F.3d 883 (8th Cir. 2017): Affirmed summary judgment in insurance coverage dispute concerning D&O insurance.
- *Northwestern Mut. Ins. Co. v. Weiher*, 809 F.3d 394 (8th Cir. 2015): Reversed summary judgment in disability insurance dispute.
- *Matthew v. Unum Life Ins. Co. of America*, 639 F.3d 857 (8th Cir. 2011): Affirmed jury verdict in disability insurance claim.
- *Capital Computer Group v. Gray Ins. Co.*, (11th Cir. 2011): Affirmed Miller Act claim against surety.
- *O'Hagan v. United States of America*, 86 F.3d 776 (8th Cir. 1996): Tax litigation.
- *Wixon Jewelers vs. Di-Star, Ltd.*, 218 F.3d 913 (8th Cir. 2000): Distributor termination and franchise litigation.

## Credentials

### Education

- William Mitchell College of Law, J.D., 1988, *cum laude*
- University of Minnesota, B.A., 1982, Urban Affairs

### Admissions

- Minnesota
- Minnesota Supreme Court, 1988
- U.S. District Court for the District of Minnesota, 1989
- U.S. Court of Appeals for the Eighth Circuit, 1995
- U.S. Court of Appeals for the Fourth Circuit, 2015
- U.S. Court of Appeals for the Eleventh Circuit, 2008
- U.S. Supreme Court, 1995

### Clerkships

- Judicial Clerkship, Chief Justice Douglas K. Amdahl and Justice A.M. (Sandy) Keith, Minnesota Supreme Court, 1988-89

## Recognition

- AV Preeminent® Peer Review Rated, Martindale-Hubbell, 2023
- North Star Lawyer, Minnesota State Bar Association, 2012, 2015-2022

## Civic & Professional

### Professional Activities

- Minnesota Supreme Court, Advisory Committee on the Rules of Civil Appellate Procedure
- Minnesota State Bar Association, Appellate Practice Section, Governing Council
- Minnesota State Bar Association, Court Rules and Administration Committee
- American Bar Association, Appellate Practice, Subcommittee of the Section of Litigation
- Hennepin County Bar Association, Insurance, Environmental Law and Civil Litigation Committees
- Minnesota Land Trust, Board Member
- *William Mitchell Law Review*, 1986-87

## News

Firm News | 06.26.2023

Fredrikson Attorneys Recognized as North Star (Pro Bono) Lawyers

Firm News | 06.16.2022

Fredrikson & Byron Attorneys Recognized as North Star Lawyers

## Legal Updates

Legal Update | 03.01.2017

Financial Institution Bond May Cover Losses from Fraudulent Wire Transfers – Even Where Bank Employees Are at Fault