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|  | Hagstrom, Alexander M.Alexander M. Hagstrom (612) 445-8017 (D)alex@bcdavenport.com |

MY APPROACH

I work with clients to identify and achieve their goals, whether through litigation or pre-litigation advocacy. Once the client’s goals have been pinpointed, I shut out all outside noise and throw myself into their case wholeheartedly. I relish the challenge of learning each client’s unique case and industry, while working collaboratively and creatively with the client to prepare and present their case in the most effective manner possible.  During the better part of a decade that I honed my advocacy skills competing with mock trial teams to national tournaments, working as a legal writing instructor, and serving as a legislative advocate for the University of Minnesota Duluth before state and federal legislators, I discovered that the art of advocacy is of paramount importance.

To each case I also bring a diversity of experience that has given me a unique and well-rounded grasp of the law.  In addition to beginning my time in private practice as a litigation “generalist,” my legal career has included interning at a prosecutor’s office, clerking at a public defender’s office, volunteering at the Innocence Project of Minnesota, and spending a year assisting small businesses with setting up and establishing their businesses.  Although my legal practice is now focused on “Year 15 disputes” in Low-Income Housing Tax Credit (LIHTC) litigation, I frequently draw on my diverse background of experience from handling a wide variety of commercial disputes, including construction contract and defect litigation, business tort litigation, shareholder dispute litigation, and employment litigation.  I also enjoy utilizing these skills to give back to the Minnesota community, litigating pro bono cases ranging from criminal record expungement to tax-related matters. Whatever the case may be, the client will always receive my best work, and I will draw upon all available resources to make the client’s goals a reality.

I also bring a well-informed understanding of the law and the judicial system to each case due to my time serving as a judicial extern to The Honorable Diana Murphy of the Eighth Circuit Court of Appeals and a judicial law clerk to The Honorable Chief Justice Lorie Gildea of the Minnesota Supreme Court.  During those invaluable, behind-the-scenes experiences, I learned firsthand what makes for an effective argument and what does not.

Outside of work, I enjoy finding new ways to learn and to challenge myself, whether it be fitness, golf, or playing guitar.  Having grown up in Superior, Wisconsin, I also enjoy the great outdoors, including fishing and hunting.

REPRESENTATIVE EXPERIENCE – LIHTC “YEAR 15” DISPUTES

* *Opa-Locka Community Development Corp., Inc. v. HK Aswan, LLC et al*. Successfully represented a non-profit affordable housing developer through the enforcement of a right of first refusal granted pursuant to the Low-Income Housing Tax Credit (LIHTC) program, prevailing over its partners who sought to sell a 216-unit affordable housing development located in Miami-Dade County to a third-party investment firm without honoring the client’s right of first refusal. On summary judgment, the Florida Court issued a decisive ruling in favor of the client on all issues before it, including dismissing all claims and defenses presented by the defendants, including a claim whereby the client would be obligated to pay millions more to purchase the 216-unit affordable housing development than it otherwise would have to under its right of first refusal agreement, and ordering defendants to specifically perform under the right of first refusal agreement by transferring the 216-unit affordable housing development to the client for the statutory “minimum purchase price.” A trial on additional damages to the client in excess of $1 million is pending.

REPRESENTATIVE EXPERIENCE – CONSTRUCTION & REAL ESTATE LITIGATION

* Successfully represented commercial general contractor in complex, multi-party dispute, obtaining summary judgment awarding a money judgment, inclusive of attorneys’ fees and costs, in excess of half a million dollars, granting the foreclosure of a mechanic’s lien for the same amount, and dismissing the owner’s counterclaims based on findings of bad-faith spoliation of evidence and failure to provide an opportunity to cure alleged construction defects.
* Successfully represented real estate developer in complex, multi-party dispute involving the decade-old construction of a large condominium development by numerous contractors, obtaining a fact-intensive summary judgment dismissing a majority of the plaintiff condominium association’s construction defect claims on statute of limitations grounds, and thereafter negotiating a favorable settlement.
* Successfully represented and negotiated settlements for real estate developer in various land use, construction contract, and earnest money disputes.
* Successfully defended, pro bono, a homeowner being sued by a real estate broker and real estate agent for the non-payment of a commission on the cancelled sale of a family cabin, and successfully countersuing for damages based on breach of fiduciary duty and fraud.
* Successfully defended a restaurateur in an eviction action.
* Successfully represented homeowner in construction defect dispute, procuring a settlement whereby the builder agreed to remedy all of the defects free of charge and reimbursed the client for all attorneys’ fees and miscellaneous costs incurred in procuring the settlement.

REPRESENTATIVE EXPERIENCE – BUSINESS & COMMERCIAL LITIGATION

* Successfully represented equipment finance arm of national bank, first-chairing a bench trial involving breach of contract and replevin claims that resulted in a settlement in favor of the bank for the full amount of damages sought, plus attorneys’ fees.
* Successfully represented an investor in the recovery of a debt, negotiating a complex settlement for the full amount of the debt, plus attorneys’ fees incurred in pursuing the debt.
* Successfully represented scrap metal dealer in a putative class action lawsuit, obtaining a denial of class certification that resulted in the reduction of a putative class of more than one hundred persons to a class of one, a reduction of alleged liability in the millions to a nominal amount, and a favorable settlement following shortly thereafter.
* Successfully obtained dismissal of federal lawsuit in which the plaintiff was seeking to freeze more than $17 million in funds.
* Successfully represented owner of numerous fast-food franchises in various federal and state court litigation matters, including defeating lawsuits asserting various workers’ compensation claims, employee discrimination claims, hostile work environment claims, and Immigration Reform and Control Act issues.
* Successfully represented Walmart Stores, Inc. in various matters involving payment and product warranty issues, obtaining favorable, cost-effective settlements.
* Successfully negotiated numerous favorable settlements on behalf of both plaintiffs and defendants and businesses ranging from small to large, in various federal and state court business and commercial disputes, including various business tort claims, non-compete and non-solicitation claims, and employment-related payment and discrimination disputes.
* Successfully negotiated the payment of six-figure judgments through post-judgment procedures and litigation.
* *Rodgers v. Silva*. Successfully represented client in appeal of case dismissal.

PUBLICATIONS

Co-author of “Report Investigation Findings and Conclusion” Chapter of *Handling Internal Investigations: Best Practices for Investigating Alleged Fraud, Bribery, Regulatory Noncompliance, and Other Types of Corporate Wrongdoing*. Minnesota CLE. 05.2017

HONORS

MSBA North Star Lawyer 2017-2019

ASSOCIATIONS

* Minnesota State Bar Association, Construction Law Section
* Hennepin County Bar Association
* American Bar Association
* Federal Bar Association
* Volunteer Lawyers Network
* Innocence Project of Minnesota

EDUCATION

University of Minnesota Law School, J.D., magna cum laude, 2015

* Managing Editor, Minnesota Law Review
* Law Council Student Governance
* American College of Trial Lawyers 40th Annual National Trial Competition Regional Champion
* American College of Trial Lawyers Medal for Excellence in Advocacy

University of Minnesota Duluth, B.A. Political Science, summa cum laude, 2012

* Phi Kappa Phi Honor Society
* Student Legislative Advocate for the University of Minnesota Duluth

BAR ADMISSIONS

Minnesota, 2015
U.S. District Court, D. Minn., 2016
U.S. District Court, E.D. Tex., 2017

CLERKSHIPS

Clerkship, Hon. Chief Justice Lorie Gildea, Minnesota Supreme Court

Judicial Extern, Hon. Diana E. Murphy, U.S. Court of Appeals, 8th Cir.