



Qualifications & Interest Statement

This form is for use by Minnesota State Bar Association members interested in being elected as an MSBA nominee to serve on an outside board or for election to the MSBA Council. **Please print or type.**

Date: 11/25/09

Name of Board: Minnesota CLE Board

Your Name: Will Stute

Address: Faegre & Benson LLP
2200 Wells Fargo Center
90 South 7th Street
Minneapolis, MN 55402

Telephone: 612-766-7984

Email Address: wstute@faegre.com

Brief Resume/Qualifications (you may submit a 1-2 page resume): see attached

Statement of Interest: I am interested in serving on MN CLE's board of directors. I have become acquainted with MN CLE by giving presentations for the organization over the past several years, and by chairing a full day CLE presentation this year. I have deep respect for the important work done by your organization, teaching and training Minnesota lawyers. This work adds tremendous value to the unique Minnesota legal community, and adds value for those individuals who teach and participate in MN CLE's programming. Through these interactions I have also gained a tremendous amount of respect for MN CLE's staff, who are a strong asset to your organization. For all these reasons, I welcome the opportunity to serve MN CLE, and the larger Minnesota legal community, by serving on MN CLE's board and providing my perspective on policy matters and other issues under consideration by the board. Like any business, MN CLE has customers and needs to be responsive to the needs of those customers. I look forward to the opportunity to assist the organization in being as responsive to MN CLE's customers as possible and to continue to ensure that MN CLE retains its position as the premiere CLE provider in Minnesota.

Have you ever been subject to public or private disciplinary action by the Lawyers Professional Responsibility Board? Yes No If YES, attach an explanation.

Signature

Please return via mail or fax (612/333-4927) to:
 Minnesota State Bar Association
 600 Nicollet Mall - Suite 380
 Minneapolis, MN 55402
 Attention: Joni Fenner

Questions? Call 612-333-1183.

WILLIAM F. STUTE

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7150 Lydia Lane
Woodbury, MN 55125
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wfstute98@comcast.net

EXPERIENCE

PARTNER 2006 - 2009
Faegre & Benson LLP Minneapolis, MN

- Trial Lawyer in Finance & Restructuring Group: represent parties in high-stakes complex business and financial transactions litigation, white collar criminal matters, conduct internal investigations, and defend regulatory proceedings.
- Co-Relationship Partner for Cargill: responsible for staffing, budgeting and reporting requirements, developing alternative fee arrangements, strategic management of all material Cargill matters, and reporting to Cargill Law Leadership Team.

PARTNER 2004 - 2006
Lindquist & Vennum PLLP Minneapolis, MN

ASSOCIATE 1997 - 2003
Lindquist & Vennum PLLP Minneapolis, MN

- Chair of Securities Litigation Practice Group: extensive first-chair trial experience representing parties in complex business and financial transactions litigation and arbitration, represent individuals in white collar criminal matters, and conduct internal investigations and defend regulatory proceedings.

LEGAL TEACHING & SEMINARS

- Adjunct Professor of Law, William Mitchell College of Law, teach semester-long 3 credit course on Professional Responsibility, 2002 to 2007
- *Strategic Discovery: How to Fight Discovery Abuses and Win Discovery Disputes* - Course Chair (Minnesota State Bar Association), May 20, 2009
- *Your First Trial: What You Need to Know to Survive (and give yourself a better chance to win!)* (Minnesota State Bar Association), annual seminar, 2004 to 2009
- *Practice of Law Today*, featuring Arthur Miller (Clarion Legal Education), 2004
- *Retention & Beyond: Diversity Challenges and Solutions in Minnesota's Legal Workplaces* (Minnesota State Bar Association), 2004

- *Securities Law Basics*, Chair (Clarion Legal Education), 2004
- *The Ethics of Mediating and Arbitrating Securities Disputes* (Hennepin County Bar Association), 2004

PUBLISHED WRITING

- William F. Stute, *National Association of Securities Dealers Arbitration for the Uninitiated*, Vol. 1, No. 3. *Minority Trial Lawyer* (2003); republished by the American Bar Association, *Best of Committee Periodicals, Section of Litigation* (2003)
- American Bar Association, *Litigation News*, 5-6 articles published a year on newsworthy substantive legal issues and developments (2004 – 2006)
- William F. Stute, *Federal Preemption and the Medical Device Amendments: Medtronic, Inc. v. Lohr*, Vol. 23, No. 4, *William Mitchell Law Review*, 949-999 (1997)

EDUCATION

JURIS DOCTOR, CUM LAUDE	1994-1997
<i>William Mitchell College of Law</i>	<i>St. Paul, MN</i>

William Mitchell Law Review, Staff Member, 1995-1996; William Mitchell Law Review, Associate Editor, 1996-1997.

BACHELOR OF ARTS, CUM LAUDE, PHILOSOPHY	1990 - 1994
<i>Augsburg College</i>	<i>Minneapolis, MN</i>

BAR ADMISSIONS

- Minnesota, 1997
- U. S. District Court, District of Minnesota, 1998
- U. S. Court of Appeals, Eighth Circuit, 1999

PROFESSIONAL ASSOCIATIONS, ACTIVITIES, AND HONORS

- Board of Directors, Twin Cities Diversity in Practice, 2005 to present
- American Bar Association, Associate Editor with *Litigation News*, 2004 to 2007
- American Bar Association, Litigation, Securities Litigation, and Minority Trial Lawyer Sections
- National Bar Association, Commercial Law Section, Corporate Law Section
- Former Vice President, Minnesota Association of Black Lawyers
- Minnesota State Bar Association
- Hennepin County Bar Association
- 40 Under Forty, *Minneapolis / St. Paul Business Journal*, 2009
- Minnesota Rising Star, Business Litigation, *Minnesota Law and Politics*, 2002 – 2009

SIGNIFICANT REPRESENTATIVE MATTERS

Ameriprise Financial, Inc., and Securities America, Inc., v. The Reserve Fund; Reserve Management Company, Inc.; and Bruce R. Bent (Minn. Dist. Ct., 2008); pursue claims of illegal tipping against The Reserve Fund in connection with money market fund “breaking the buck” due to valuation of Lehman debt in the days following Lehman’s bankruptcy, obtain temporary restraining order freezing redemption request by investors of over \$40 billion pending SEC involvement.

Wells Fargo Bank v. Medieval Glass Industries LTD, Frank Racanelli, and Michael Wilson (Related cases in Iowa and Minn. State Court, 2009); pursue foreclosure of \$5 million asset-based business loan due to diversion of funds and misappropriation of assets, pursue claims against loan guarantors.

Stilton International Holdings v. CIS / Cargill Inc (AAA Arbitration, NY, 2008); defend claims exceeding \$54 million for fraud and breach of contract in connection with sale of foreign currency exchange to REFCO, settled favorably after two week arbitration.

CarVal Investors v. Consumer Solutions, et al. (Cal. Dist. Ct., 2008); pursue claims of breach of representations and warranties in purchase agreements in connection with purchase of pool of residential mortgages exceeding \$20 million, early and favorable settlement.

C. Robert Farr v. Stellent, Inc., Robert F. Olson, Kenneth H. Holec, Alan B. Menkes, Phillip E. Soran, Raymond A. Tucker, William B. Binch (Minn. State Court, 2007); defend company and individual directors and officers in class action alleging fraud and breach of fiduciary duty in connection with proposed corporate merger, motion to dismiss granted prior to discovery.

Hutchinson Technology; (SEC investigation, 2007); defend HTI and individual officers and directors in SEC investigation of potential securities fraud and insider trading, prepare marketing and financial executives for testimony before the SEC and conduct testimony, SEC determined no violations occurred and declared no further investigation necessary after testimony.

Robert Etem v. Jeff L. O'Dell, James Bernards, Roger E. Gower, Linda Hall Whitman, Michael Wright, August Technology (Minn. State Court, 2006); defend directors and officers against class action alleging breach of fiduciary duty in connection with merger agreement, motion to dismiss granted prior to discovery.

Viking Electric Supply Inc., v. 451 Investments, et al. (Minn. State Court, 2006); pursue claim exceeding \$2.5 million for breach of asset purchase agreement against sellers for breach of earn-out provisions and representations regarding accounts receivable, favorable settlement of entire amount of claim after first day of trial.

David Paul, et al. v. John G. Kinnard (Minn. State Court, 2005); pursue claims of over \$5 million for securities fraud against broker-dealer in connection with sale of failed limited partnership investments to pension and profit sharing plans, favorable settlement after discovery.

Michael J. Tisdell et al. v. ValAdCo, et al. (Minn. State Court, 2003); defend claims of securities fraud by shareholders of agricultural co-op, claims settled for nuisance payment after 4 years of litigation.

Various Investors v. SunAmerica Securities and Sherwin P. Brown (FINRA Arbitration, 2003); pursue claims in excess of \$5 million for securities fraud, breach of fiduciary duty and other claims by large group of investors, favorable settlement.

Cenex Harvest States Foundation v. UBS PaineWebber (FINRA Arbitration, 2003); defend financial advisor and broker dealer in connection with claim exceeding \$20 million for securities fraud in connection with the sale of collateralized mortgage obligations (CMOs) to corporate charitable foundation, favorable settlement prior to arbitration.