

Construction Law Section Council
Friday, November 14, 2008
MSBA Offices

Mark Bloomquist, Chair of the Construction Law Section, called the meeting to order and the following business was conducted:

1. Mr. Bloomquist announced that proposed revisions to the Construction Law Section's Bylaws will be voted on at the next monthly meeting held on December 12, 2008, at noon at the MSBA's office in downtown Minneapolis. The proposed revisions to the Bylaws were circulated at the September 12, 2008, meeting of the Construction Law Section. Additionally, the proposed revisions to the Bylaws are available on the MSBA's website.

2. Mary Schwind, Vice Chair of the Construction Law Section, discussed the Section's efforts to create and propose a model Scheduling Order for cases involving construction defects on residential construction projects, both single-family residences and multi-family residences. Ms. Schwind circulated the most current version of the Section's model Scheduling Order. At the December 12th meeting, the Section will discuss and vote whether to adopt the model Scheduling Order.

If a model Scheduling Order is adopted, then the Section will approach District Court judges statewide regarding the Section's approval of a model Scheduling Order for residential construction defect cases.

3. Kate Burke, a member of the MSBA's Construction Law Council, made two announcements: (a) the Section is collecting non-perishable food items at the December 12th meeting for a local food shelf, and (b) the Section will consider cash donations to charitable organizations at the December 12th meeting.

4. A panel presentation regarding "Failed Residential Developments" was made by three local construction lawyers: (a) Karl Yeager of the Meagher Geer law firm, (b) John Holper of the Winthrop & Weinstine law firm, and (c) Aaron Dean of the Fabyanske, Westra, Hart & Thomson law firm. Fifty seven persons registered to attend the presentation, including several law students from the four area law schools.

5. Following the panel presentation, the meeting was adjourned. A social hour and reception was then held for Section members and local law students. The Section wishes to thank MSBA staff and the Dorsey & Whitney law firm for hosting this event and Eric Ruzicka, Dianna Breymeier and Susan Trapskin of the Dorsey firm for making these arrangements.