Andrew T. James

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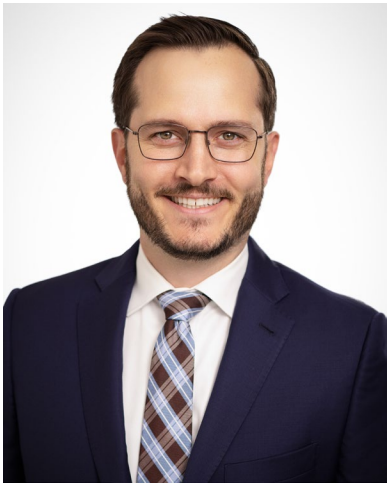

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Practice Groups

Labor & Employment
Business & Commercial Litigation
Corporate
Complex Litigation

Overview

Drew James is an accomplished employment lawyer, trial lawyer, and litigator who represents clients ranging from Fortune 500 companies, large and small businesses, non-profit organizations, individuals, and everything in between.

A formidable litigator, Drew has won cases big and small from coast to coast. Routinely appearing in federal and state courts nationwide, Drew has tried and won numerous cases to juries and judges, and his knack for identifying winning issues has resulted in many conclusive victories via motion practice without need for trial. Drew passionately represents his clients in all varieties of disputes and litigation including employment, complex civil and business litigation, education, and civil rights matters.

As a counselor, Drew regularly advises his clients on issues such as hiring and firing, non-competition and non-solicitation provisions and agreements, confidentiality and non-disclosure agreements, trade-secrets and confidential information, behavioral and disciplinary issues, paid and unpaid leave (including under the ADA, FMLA, Minnesota ESSL, PFML, and other state laws), ERISA employee-classification issues, employee drug testing, and more. He also serves as an investigator when sensitive employment issues arise.

Drew also advises educational institutions (including colleges, universities, high schools, and companies and organizations providing education-related services) on education-specific issues such as Title IX, FERPA, sexual assault and harassment matters, student privacy matters, state education laws, and other student and faculty issues. Drew is one of the rare lawyers to have tried and won a Title IX athletics case – and he has done it multiple times.

Before joining Bassford Remele, Drew practiced in the employment group of one of the 100 largest law firms in the country. His previous experiences include working as in-house counsel for a financial-services company and working as a criminal defense attorney.

Education & Admissions

Education

- University of Minnesota Law School, J.D., 2010
- Marquette University, B.A., 2007

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Bar Admissions

- U.S. Court of Appeals, Second Circuit
- U.S. Court of Appeals, Seventh Circuit
- U.S. Court of Appeals, Eighth Circuit
- U.S. Court of Appeals, Tenth Circuit
- U.S. District Court, District of Minnesota
- U.S. District Court, District of North Dakota
- U.S. District Court, Western District of Michigan
- Minnesota
- Wisconsin
- Utah

Judicial Clerkships

- Second Judicial District, Ramsey County District Court, The Honorable Robert A. Awsumb, Judicial Externship, 2009

Experience

Representative Cases

- After a seven-day trial, the Court found St. Cloud State University violated Title IX and granted a permanent injunction that benefits a class of female student-athletes. The Court ordered immediate improvements to SCSU's athletics department, including, but not limited to, maintaining women's sports teams, renovating practice and competition facilities, making improvements to women's locker rooms, and the Court also awarded $1.2 million in attorneys' fees. *Portz, et al. v. St. Cloud State Univ., et al.*, Case No. 16-CV-01115 (JRT/LIB) (D. Minn. Aug. 1, 2019). Media coverage of this case includes: http://www.startribune.com/federal-judge-st-cloud-state-athletics-fails-to-provide-equal-opportunity-to-women/513523522/
- After a high-profile eight-day jury trial on behalf of legendary former UMD women's hockey coach Shannon Miller, the jury found that UMD retaliated against Miller in violation of Title IX and Title VII and awarded her over $3.74 million in damages (later reduced). The judge later awarded Miller an additional over $460,000 in front pay and $2.33 million in attorneys' fees, and the case ultimately settled for $4.53 million. *Miller v. The Bd. of Regents of the Univ. of Minnesota*, Case No. 15-CV-03740 (PJS/LIB) (D. Minn. Mar. 15, 2018). Media coverage of this case includes:

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https://www.duluthnewstribune.com/news/crime-and-courts/4418059-big-day-women-jury-sides-miller-orders-umd-pay-374-million.

- In a decision described as "groundbreaking," the Minnesota Supreme Court concludes that Nathan McGuire, the former girls' basketball coach at Woodbury High School, is not a "public official" or "public figure," and allows his defamation claim against the parent of a student-athlete to proceed to trial. Drew represented Nathan at the district court and Minnesota Court of Appeals levels before joining Bassford. *McGuire v. Bowlins, et al.*, Case No. A18-0167 (Minn. Sept. 4, 2019). Media coverage of this case includes: http://www.startribune.com/minnesota-supreme-court-ruling-limits-criticism-of-public-high-school-coaches/559406292/.

Employment Litigation

Drew has drafted numerous successful motions to dismiss and motions for summary judgment, including on complex factual and jurisdictional issues, that led to dismissal of all claims without need for trial. As some recent examples:

- Won summary judgment on behalf of software company in lawsuit involving Title VII sex discrimination and retaliation claims. (D. Utah. 2024.)
- Won summary judgment on behalf of national railroad company in lawsuit involving Title VII race and age discrimination, harassment, and retaliation claims. (N.D. Ill. 2024.)
- Won motion to dismiss with prejudice on behalf of national financial services company on Rule 12(b)(6) grounds. (D. Idaho 2024.)
- Won motion to dismiss on personal-jurisdiction grounds on behalf of international medical-software company. (M.D. Fla. 2023.)

Drew has a diverse practical background in the law. He worked at an AmLaw 100 firm, where he handled employment litigation, employment advice-and counsel, commercial litigation (in particular, litigation related to misappropriation of trade secrets or confidential information and violations of non-competition and non-solicitation agreements), and civil rights matters. Earlier in his career, Drew was in-house counsel with a broker/dealer and registered investment adviser. He also has experience as a criminal defense attorney.

The representative litigation mentioned above includes results from Drew's work before joining Bassford Remele.

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Employment Advice & Counsel

- Drew counsels clients on all varieties of workplace issues including difficult performance issues and terminations, managing medical and disability leaves, drafting and implementing practical employment policies and procedures, and advising on day-to-day employment issues that could escalate into serious employment problems.

Publications/Media

- *UMD Discrimination Lawsuit Set to Return to Court*, Duluth News Tribune, November 12, 2016
- *Hearing Set on SCSU Tennis Team Lawsuit*, St. Cloud Times, May 4, 2016

The Work Week with Bassford Remele

- *The U.S. Supreme Court Redefines Institutions, From Title IX Athletics to Federal Agencies: What Employers Need to Know,* author, July 6, 2026
- *Can an Employer Rescind a Job Offer Over Pending Criminal Charges, Even if the Recruit Is Later Acquitted? Minnesota's Federal Court Says Yes*, author, June 8, 2026
- *The EEOC Cracks Down on Reverse Discrimination: How DEI "Perks" May Create Legal Liability*, author, March 16, 2026
- *Guidance for Businesses When Federal Immigration Officers Arrive*, author, January 20, 2026
- *The Final Word: DOLI's December 2025 Guidance on Timing, Transit, and Penalties for Rest and Meal Breaks*, author, January 5, 2026
- *Three Critical Employment Lessons for Your Executive Contracts to Be Learned From the Lane Kiffin Departure*, author, December 1, 2025
- *"You Might Have a Point There": How Poor RIF Documentation Can Backfire in Litigation*, author, October 13, 2025
- *A Hard Lesson on Undue Hardship: What Employers Can Learn from the Eighth Circuit's Drivers Management Ruling*, author, September 2, 2025
- *Minnesota Unemployment Claims: What Employers Need to Know (And Why It Matters)*, author, August 4, 2025
- *New OSHA Rules Could Drastically Cut Your Company's Fines*, author, July 21, 2025
- *Minnesota's First Wage-Theft Conviction and Sentence: How to Avoid Becoming the Next Headline*, author, June 23, 2025
- *The $500,000 Question: Will Minnesota Reinstate Non-Competes for High Earners and Those Entrusted with Trade Secrets?*, author, May 12, 2025

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- *Think Outside the Bun: What Employers Can Learn from the EEOC's Hostile Work Environment Lawsuit Against Taco Bell*, author, March 24, 2025
- *New and Recent Laws that Every Employer in Minnesota Should Know for 2025*, author, January 6, 2025

Seminars

- *Off The Clock: Everything You Wanted to Ask an Employment Lawyer*, co-presenter, Twin Cities Society for Human Resource Management (TCSHRM) Legal Summit, July 22, 2026
- *Examining DEI and Reverse Discrimination: Charting a Course Through Changing Legal Tides*, co-presenter, Twin Cities Society for Human Resource Management (TCSHRM) Legal Summit, July 22, 2026
- *Examining DEI: Charting a Course Through Changing Legal Tides*, afternoon keynote panelist, Association of Corporate Counsel Minnesota 15th Annual In-House Counsel Conference, June 18, 2026
- *Litigating Harassment Cases Involving Allegations of Sexual Assault*, panelist, Minnesota Continuing Legal Education 2026 Upper Midwest Employment Law Institute, May 19, 2026
- *2026 HR Blueprint*, co-presenter, Twin Cities Society for Human Resource Management (TCSHRM) February Virtual Legal Session, February 11, 2026
- *Examining DEI: Charting a Course Through Changing Legal Tides*, panelist, The Work Week with Bassford Remele Annual Employment Law Seminar, October 28, 2025
- *Text Rx: Navigating Risks & Best Practices in Healthcare Communications*, presenter, Bassford Remele Health Care Seminar, June 19, 2025
- *FMLA Basics – Navigating Eligibility, Covered Conditions and Compliance in 2025*, presenter, Minnesota Continuing Legal Education 2025 Upper Midwest Employment Law Institute, May 19, 2025
- *Employment and Labor Market Trends: What's Next for Construction?*, co-presenter, Bassford Remele 2025 Annual Construction Law Summit, February 6, 2025
- *Labor & Employment Symposium*, presenter, 2024, 2022, 2021, and 2020
- *OSHA's COVID-19 "Vaccine or Testing" Requirement: Understanding the New Rule and How to Navigate It*, presenter, November 11, 2021
- *President Biden's Mandatory Vaccination Executive Order: What We Know and What We Don't*, presenter, September 14, 2021

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Professional & Civic

Bar Associations

- Minnesota State Bar Association
  - Labor & Employment Law Section
- Utah State Bar Association
- State Bar of Wisconsin
- Hennepin County Bar Association

Professional Associations

- Twin Cities Society for Human Resource Management

Civic Involvement

- Legal Rights Center, Board of Directors
- Varsity Policy Debate Coach (various schools) (former)
- The Leadership Emergence and Development ("LEAD") Project, Past President

Accolades

Honors & Awards

- Top Lawyer list, *Minnesota Monthly*, Labor Employment Benefits Litigation, 2025
- Best Lawyers: Ones to Watch, Labor & Employment Litigation, 2021-2024
- Up & Coming Attorney, *Minnesota Lawyer*, 2020
- Minnesota Rising Stars list, *Super Lawyers*, 2019-present
- North Star Lawyer, Minnesota State Bar Association, 2021-2024