

## Casey D. Marshall

SHAREHOLDER | BOARD OF DIRECTORS



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### Practice Groups

Business & Commercial Litigation

Trust & Estate Litigation

Class Actions

Mass Torts

### Overview

Casey Marshall is a litigator who represents corporations and individuals in commercial disputes, and navigates families, businesses, and individuals through trust and estate conflicts.

Experienced in the litigation process, Casey regularly represents clients in shareholder and securities disputes, as well as other business-related claims, in multiple jurisdictions. He represents clients in probate, state, federal, and appellate courts, recently helping resolve multiple proceedings initiated by beneficiaries of trusts and disputes between shareholders in closely-held corporations.

Casey is active in the trust and probate section and the business law section of the Minnesota State Bar Association. He is on the Board of Directors of the Twin Cities Estate Planning Council. Casey is chair of the Bassford Remele Business and Commercial Litigation Practice Group, co-chair of the Trust & Estate Litigation Practice Group, and serves on its Board of Directors. He graduated *magna cum laude* from the University of Minnesota Law School.

### Education & Admissions

#### Education

- University of Minnesota Law School, J.D., *magna cum laude*
- Concordia College, B.A.

#### Bar Admissions

- U.S. Court of Appeals, Eighth Circuit
- U.S. District Court, District of Minnesota
- U.S. District Court, District of North Dakota
- Minnesota
- North Dakota
- South Dakota
- Wisconsin

#### Judicial Clerkships

- U.S. District Court, District of Minnesota, Magistrate Judge Franklin Noel, Law Clerk Extern, 2010

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- Seventh Judicial District, The Honorable Thomas Knapp, Law Clerk Intern, 2009

## Experience

### Representative Cases

- Part of team who successfully defended against fraud in the inducement claims in connection with a commercial real estate transaction.
- Part of trial and appellate team who successfully defended against minority shareholder claims.

### Additional Representative Cases

- Successful defense of majority shareholders of a closely-held, family-owned corporation, in a shareholder suit brought by a minority shareholder.
- Successful representation of trust beneficiary in a suit to remove existing trustee and appoint a new corporate trustee.
- Representation of minority shareholder, obtaining favorable buyout and resolution of dispute in a local technology company.
- Successful defense of corporate trustee in suit by beneficiaries to remove the trustee and seeking monetary damages.
- Part of team who successfully defended against fraud in the inducement claims in connection with a commercial real estate transaction.
- Representation of farm owner in dispute over control and ownership of farmland and farming operation.
- Representation of corporate trustee in a trust dispute with beneficiaries over distribution and administration of trust assets.
- Representation of family office in dispute over complex tax and financial planning.
- Court appointed co-lead and liaison counsel in multiple nationwide antitrust class actions.
- Representation of significant other in a matter involving financial exploitation of a vulnerable adult by adult children.
- Representation of housing development entity and majority investors in shareholder dispute involving breach of fiduciary duty and breach of contract claims.
- Representation of trust beneficiaries in dispute involving breach of fiduciary duty by the trustee of the trust.

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- Representation of minority owner of multiple real estate development projects in shareholder dispute involving breach of fiduciary duty claims and disputes over control of business entities.

### Publications

- *Unique Evidentiary Issues*, co-author, Chapter 5, Minnesota Trust and Estate Litigation Deskbook, Minnesota Continuing Legal Education, 1st Ed., 2024
- *Notes & Trends – Probate and Trust Law*, monthly column author, Bench & Bar of Minnesota, 2017-2023
- *Behind the Curtain: Attorney-Client Privilege Exceptions in Trust and Estate Disputes*, author, Building Trust, November 2024
- *Tortious Interference with Inheritance: Status of the Law in Minnesota*, author, Building Trust, April 2024
- *To Be or Not to Be: Your Client's Trustee*, author, Attorney at Law, March 2024
- *In Rem v. In Personam Trust Proceedings: The Implications of Swanson v. Wolf*, author, Minnesota State Bar Association Probate, Trusts, and Estates Section, November 2023
- *Four Things Closely Held Shareholders Should Know*, author, Upsize, September 2022
- *50-State Damages Fiduciary Remedy and Damages Survey*, contributing author, ACTEC Fiduciary Litigation Committee, March 2018
- *The Close Corporation Privilege Trap: The Troubled Legacy of Evans v. Blesi and the Minnesota Courts*, co-author with A.V. Desteian, Bench & Bar of Minnesota, November 2015
- *A Threat From Within: Defending Closely-Held Corporations Against Their Own Shareholders*, author, Minnesota Defense, Winter 2015

### Seminars

- *How to Avoid the Top 10 Litigation Traps for Estate Planners*, presenter, Minnesota Continuing Legal Education 2023 Probate and Trust Law Section Conference, June 16, 2025
- *Resolving Trust and Estate Disputes Through Mediation*, panel moderator, Twin Cities Estate Planning Council, May 27, 2025 (Judge Robert A. Blaeser)
- *Unique Evidentiary Issues*, presenter, Minnesota Continuing Legal Education Trust and Estate Litigation in Minnesota Seminar, December 4, 2024

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- *Risky Business: Common Ethical Issues in Representing Closely Held Businesses*, presenter, Lying, Cheating & Stealing Seminar, Secrets and Solutions for Handling Messy Business Disputes, October 9, 2024
- *Ethics: Conflicts of Interest in Representing Closely-Held Businesses*, presenter, Minnesota Continuing Legal Education 2024 Business Law Institute, May 6, 2024
- *Helping Clients Manage Trust and Estate Disputes*, presenter, Twin Cities Estate Planning Council, September 25, 2023
- *Disclaimers and Privilege*, presenter, The Estate Planning, Probate & Trust Law 50, September 21, 2023
- *Considerations in Responding to a Subpoena*, presenter, Minnesota Conference of Association of Corporate Counsel, June 15, 2023
- *Damages, Damages, Damages: Understanding the Possible Outcomes in Probate Litigation*, presenter, Minnesota Continuing Legal Education 2023 Probate and Trust Law Section Conference, June 12, 2023
- *Ethics: Who Do I Represent? The Close Corporation Attorney-Client Privilege Trap*, presenter, Minnesota Continuing Legal Education Ownership Disputes in Closely-Held Businesses: Preventing, Managing, and Resolving Seminar, March 6, 2023
- *Special Considerations When Preparing for an Online Trial – Perfecting the Art of Zoom Litigation*, presenter, Trial Preparation: A Strategic Approach, February 23, 2023
- *Trustee Removals and Trust Modifications*, co-presenter with Amy Morris Hess, Bassford Remele A Loss of Trust: What Trust and Estate Litigators Think Estate Planners Need to Know, January 24, 2023
- *Mom Always Liked You Best – Trust and Estate Litigation and the New Minnesota UTC*, presenter, private bank, October 6, 2022
- *Evidentiary Issues Unique to Trusts and Estates Litigation*, presenter, Minnesota Continuing Legal Education 2022 Probate and Trust Law Section Conference, June 13, 2022
- *The Legal and Ethical Implications of the Close Corporation Attorney-Client Privilege Trap*, presenter, Minnesota Continuing Legal Education 2022 Business Law Institute, May 9, 2022
- *Defending Trustees and Personal Representatives in Trust and Estates Disputes*, presenter, Professional Liability Defense Federation, Nashville, TN, October 7, 2021
- *Roundtable Discussion – Applying Remedy and Damage Analysis to 4 Different Types of Disputes (Shareholder Disputes)*, presenter, Minnesota

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Continuing Legal Education Remedies and Damages in Commercial Litigation, July 30, 2021

- *Current Trends in How to Approach Discovery and Motions*, presenter, Minnesota Continuing Legal Education Litigating Probate and Trust Disputes in 2021 – A Brave New World, March 18, 2021
- *Ethics: Who Do I Represent? The Close Corporation Attorney-Client Privilege Trap, Shareholder Disputes in Closely-Held Businesses*, presenter, Minnesota Continuing Legal Education, January 25, 2021
- *The Estate Planner's Guide to Responding to a Subpoena for a Client File and Deposition*, presenter, Minnesota State Bar Association, March 5, 2020
- *Estate Planning, Probate & Trust Law 50*, presenter, Minnesota Continuing Legal Education, February 21, 2020
- *Trust and Estate Litigation: What Trust and Estate Litigators Think Non-Litigators Need to Know*, presenter, Bassford Remele Trust and Estates Litigation Seminar, February 11, 2020
- *Trust & Estate Risks and Pitfalls for Attorneys*, presenter, Minnesota Lawyers Mutual, July 2019
- *Mom Always Liked You Best – Trust and Estate Litigation and the New Minnesota UTC*, presenter Trust Point, July 2018
- *Legal Update: Payment of Fiduciary Attorneys' Fees*, presenter, Minnesota Lawyers Mutual, May 2018
- *Trust and Estate Litigation*, presenter, Minnesota Lawyers Mutual, July 2017
- *Deciphering, Determining and Decanting: Sputtering Our Way Into The Year of the New Minnesota UTC*, presenter, Dakota County Law Library, April 2016
- *Trust and Estate Litigation: What Trust and Estate Litigators Think Non-Litigators Need to Know*, presenter, Twin Cities Financial and Estate Planning Councils, March 2016
- *Litigating Under Minnesota's Uniform Trust Code*, presenter, U.S. Bank, January 2016
- *Settling Trust and Estate Disputes Without Litigation*, presenter, National Business Institute, January 2016
- *Minnesota's New Uniform Trust Code*, faculty, Minnesota Continuing Legal Education, November 2015
- *Mom Always Liked You Best – Trust and Estate Litigation and the New Minnesota UTC*, presenter, Bremer Wealth Management, November 2015
- *Litigating Under Minnesota's Uniform Trust Code*, faculty, Minnesota Continuing Legal Education, October 2015

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## Professional & Civic

### Bar Associations

- Minnesota State Bar Association
  - Probate, Trusts and Estates Section
    - Conference Planning Committee
    - Litigation Committee
    - Probate Forms Committee
  - Business Law Section
    - Membership Committee
- State Bar of North Dakota
- State Bar of South Dakota
- State Bar of Wisconsin
- Hennepin County Bar Association

### Professional Associations

- Twin Cities Estate Planning Council, Board of Directors
- Sioux Falls Estate Planning Council

### Civic Involvement

- Volunteer Lawyers Network, 2013-2018

## Accolades

### Honors & Awards

- *The Best Lawyers in America*®, Litigation-Trusts and Estates, 2025
- Best Lawyers: Ones to Watch, Commercial Litigation, Trusts and Estates Litigation, and Mass Tort Litigation/Class Actions, 2022-2024
- Top Lawyers list, *Minnesota Monthly*, Commercial Law, 2022- 2023; Trust and Estates Litigation, 2024-2025
- Attorney of the Year, as part of the *Syngenta* Legal Team, *Minnesota Lawyer*, 2017
- Minnesota Super Lawyers list, *Super Lawyers*, 2024-present
- Minnesota Rising Stars list, *Super Lawyers*, 2016-2023