



## Mark A. Bloomquist

### Partner

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📍 Minneapolis

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### Overview

Mark provides legal services to professionals, including attorneys, accountants, architects, engineers, and title agents. He also represents product manufacturers and various companies in the construction and finance industries. His work involves primarily contested matters, including civil litigation, arbitration, mediation, and representation of individuals and companies before government licensing agencies.

He is also one of the firm's leaders, serving as a member of its Management Committee.

"Clients like us because we understand their industries - and can quickly get up to speed. We work to understand their exposure and then recommend whether to settle, move for a summary decision or go to trial. Because of our decisiveness, our clients can get on with their business."

Mark is the past Chair of the Construction Law section of the Minnesota State Bar Association. He is a past board member of the Minnesota chapter of the American Council of Engineering Companies and currently serves on its membership and professional registration committees.

At a recent seminar, Mark spoke on the subject of motion practice in Minnesota state courts. He recently published an article in *The Hennepin Lawyer* titled, "How a Bill Becomes a Law: What You Did Not Learn in Civics Class."

Mark is married, with three young adult children. He loves youth sports and has served the St. Louis Park Little League and Babe Ruth programs as League President and Senior Babe Ruth Coordinator. When it is not snowing, he is a regular bicycle commuter. Outside work, he enjoys he enjoys Nordic skiing, dogs, studying Minnesota and Danish history, and quartet singing.

### Education

### Services

- ◆ Securities and Financial Services
- ◆ Professional Liability
- ◆ Construction
- ◆ Real Estate

### State Bar Admissions

- ◆ Minnesota, 1987
- ◆ North Dakota, 2006
- ◆ South Dakota, 2023
- ◆ Wisconsin, 1988

### Federal Court Admissions

- ◆ United States Supreme Court, 1992
- ◆ United States Court of Appeals, Eighth Circuit, 1990
- ◆ United States District Court, District of Minnesota, 1987
- ◆ Court of the Shakopee Mdewakanton Sioux (Dakota) Community, 2012
- ◆ United States District Court, Western District of Wisconsin, 2014
- ◆ United States District Court, Eastern District of Wisconsin, 2022

- ◆ William Mitchell College of Law, J.D., *cum laude*, 1987
- ◆ Stanford University, B.A., 1979



## Experience

### Representative Cases

- ◆ *Crystal Tiessen v. Santander Consumer USA, Inc., dba Chrysler Capital, Repossessors, Inc., and PAR, Inc., dba PAR North America*, Fond du Lac Band of Lake Superior Chippewa Tribal Court, Case No. CV-005-16 (order dismissing FDCPA action for lack of tribal court jurisdiction because repossessed motor vehicle, although located within the reservation boundaries, was repossessed from fee land which was owned by a non-Indian and because plaintiff was not a member of the Fond du Lac Band)
- ◆ *Wedum St. Cloud Student Housing, LLC, v. Urbanworks Architecture LLC, Dunbar Development Corporation, and Frana Companies, Inc.*, Stearns County District Court File No. 73-CV-17-1483 (summary judgment, ruling that plaintiff building owner's construction defect action was barred by the two-year statute of limitations in Minn. Stat. § 541.051 because owner had discovered water infiltration more than two years prior to commencing action)
- ◆ *Charles Waters and Anita Waters v. City of Coon Rapids and Menard, Inc.*, United States District Court, District of Minnesota, Court File No. 17-cv-935 (summary judgment, ruling that client retail store did not invade customer's privacy or falsely imprison him in an outside lumberyard by requiring the customer to open his car trunk upon exit to allow inspection because a sign was posted at the entrance to the yard advising that trunks would be inspected prior to exit from the yard)
- ◆ *Joseph J. Sivak, Jr., v. Cody Rides, LLC, Tom Collins Group, LLC, Show Productions, Inc. d/b/a Audio Visions and Snowta NYE, LLC*, United States District Court, District of Minnesota, Court File No. 17-cv-902 (summary judgment, dismissing plaintiff's negligence claim for personal injury against Ferris wheel owner/operator because plaintiff's expert lacked foundation for his opinion on negligent operation of the wheel)
- ◆ *Franklin Moore v. Capital One Auto Finance and Repossessors, Inc.*, United States District Court, District of Minnesota, No. 15-cv-4745v Docket No. ECF 52, (April 22, 2016) (holding that a repossession agent had properly repossessed a car from an underground residential parking garage without violation of the Fair Debt Collections Practices Act (FDCPA) or common law rights of the car's owner because, while the agent had entered the garage without security card access card and in the presence of "No Trespassing" signs, the agent had not trespassed or breached the peace and therefore had no civil liability to the car's owner)

### Professional Affiliations

- ◆ Minnesota State Bar Association
  - ◇ Delegate to the MSBA Assembly
  - ◇ Past Chair, Construction Law Section
- ◆ American Council of Engineering Companies - Minnesota Chapter
  - ◇ Professional Registration Committee and Membership Committee member
- ◆ Hennepin County Bar Association
  - ◇ Bar Memorial Committee member

## Community Involvement

- ◆ Northern Pines Harmony Brigade, Founding Board Member
- ◆ Minnesotans United for All Families, Volunteer

## Notable

### Accolades

- ◆ Named to *Minnesota Lawyer* "Power 30: Real Estate and Construction Law" 2021-2022
- ◆ Selected for inclusion in The Best Lawyers of America® in the areas of Construction Law and Professional Malpractice Law-Defendants, 2022-2025
- ◆ [2014 President's Award](#), American Council of Engineering Companies of Minnesota (ACEC/MN)
- ◆ Selected for inclusion in the Minnesota Super Lawyers® list in the area of Construction Litigation (only five percent of the lawyers in the state were selected), 2013-2024
- ◆ Selected for inclusion in "Minnesota's Top Lawyers" list in the area of Commercial Law, *Minnesota Monthly*, 2023
- ◆ Awarded the highest possible Martindale-Hubbell Peer Review Rating, AV® Preeminent™ (AV is a registered certification mark of Reed Elsevier Properties Inc., used in accordance with the Martindale-Hubbell certification procedures, standards and policies)

### Speaking Engagements

- ◆ Panelist, Indemnification and Legal Updates, American Council of Engineering Companies of Minnesota (ACEC/MN) Monthly Meeting, Minnetonka, MN (February 2016)
- ◆ Panelist, Executive Leaders of the American Council of Engineering Companies Monthly Breakfast Meeting, St. Paul, MN (January 2015)
- ◆ Speaker, Indemnification and Recent Changes in MN Statutes, Continuing Education Seminar for Design Professionals, Dennis J. Linder & Associates (October 2014)
- ◆ Speaker, Indemnification Bill Informational Seminar, ACEC/MN, Minnetonka, Minnesota (June 2014)
- ◆ Speaker, Understanding General Liability and Professional Liability Insurance Coverage, Halfmoon LLC, Eagan, Minnesota (December 2011)
- ◆ Webinar, Liability of Practicing in Other States, Cobb Strecker Dunphy & Zimmermann, Minneapolis, Minnesota (August 2011)

### Articles

- ◆ Author, "How a Bill Becomes a Law: What You Did Not Learn in Civics Class" *The Hennepin Lawyer* (September 2014)
- ◆ Featured in article, "Mark Bloomquist: An Attorney with a View on the Future" *Engineering Minnesota*, Vol. 47 No. 7 (2012)
- ◆ Author, "Engineering and Construction Innovations, Inc. v. L.H. Bolduc: New Developments in the Construction Anti-Indemnity Statute" *Minnesota Defense* (Fall 2011)
- ◆ Author, "Construction Litigation Desk Reference, State by State Compendium" Chapter on North Dakota Law, DRI (2010)