Rick Linsk

ERISA Practice and Procedure
Health Care Law
Employment Law
Products Liability

Associate

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Mr. Linsk practices primarily in the areas of health care, insurance, employment, and products liability litigation. He has particular experience with claims under the Employee Retirement Income Security Act (ERISA), and has represented medical practitioners in regulatory and litigation matters.

He is a *cum laude* graduate of William Mitchell College of Law, which he attended while working full-time as a newspaper journalist. He was an editor of the William Mitchell Law Review (vol. 34); participated in the Ramsey County Volunteer Legal Services Attorney Program; interned at the Center for Homicide Research; and was recognized for achievement in the study of media law by the Center for Computer-Assisted Legal Instruction (CALI). He was also an extern to Judge David Minge of the Minnesota Court of Appeals.

Immediately after law school, Mr. Linsk was a judicial law clerk to the Honorable Paul H. Anderson, the Honorable G. Barry Anderson, and the Honorable Lorie S. Gildea, associate justices of the Minnesota Supreme Court.

Mr. Linsk previously was an award-winning journalist for more than two decades for newspapers in Pennsylvania, Delaware, New Jersey, New York, and Minnesota. He was an investigative reporter with the St. Paul Pioneer Press from 1999 to 2006 and contributed to coverage that helped the newspaper win the Pulitzer Prize. His work has also been recognized by the National Press Club, Gerald Loeb Awards for Distinguished Business and Financial Journalism, Minnesota Society of Professional Journalists, New Jersey Press Association, North Jersey Press Club, and Pennsylvania Newspaper Association, among others.

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Representative Cases

- *Allstate Indemnity Co. v. Lah et al.*, No. 62-cv-15-2046 (Minn. Dist. Ct. Ramsey Cnty. Sept. 15, 2015) (prevailing in motion to dismiss no-fault automobile insurer's lawsuit alleging fraud and solicitation).
- *EMC Insurance Co. v. Bha et al.*, No. 62-cv-14-775 (Minn. Dist. Ct. Ramsey Cnty. June 23, 2014) (prevailing in motion to dismiss no-fault automobile insurers lawsuit alleging fraud and solicitation).
- *Life Share Collateral Holdings, LLC v. Albers*, No. 11-3605-JNE/JJK (D. Minn. July 2, 2013) (overcoming plaintiff's summary-judgment motion in lawsuit over insurance premium financing)
- *Blue v. Hartford Life & Accident Ins. Co.*, No. 10-cv-499-SLC (W.D. Wis. June 13, 2011), aff'd, 698 F.3d 587 (7th Cir. 2012) (summary judgment obtained on plaintiff's claim for long-term disability benefits)
- *Padavich v. The Hartford Life Ins. Co.*, No. 4:09-cv-00375-JEG (S.D. Iowa Mar. 9, 2011), aff'd, 436 Fed. Appx. 730 (8th Cir. Nov. 10, 2011) (summary judgment obtained in accidental-death-and-disability claim)
- *Shock vs. Hartford Life and Accident Ins. Co.*, No. 11-CV-2029-LRR (N.D. Iowa Nov. 7, 2012) (plan administrator's decision upheld in plaintiff's claim for long-term disability benefits under ERISA)
- *Feller v. Hartford Life & Acc. Ins. Co.*, 817 F. Supp. 2d 1097, 1108 (S.D. Iowa 2010) (denying plaintiff's motion for remand in accidental-death benefits case)
- *Windbiel v. Group Short Term Disability et al.*, No. 09-C-139 (E.D. Wis. July 07, 2010) (summary judgment obtained on plaintiff's claim for long-term disability benefits under ERISA)

Publications

- *Tools for Early Resolution of Insurance Bad-Faith Claims*, Defense Research Institute, For the Defense, Volume 58 Number 10 (October 2016) (co-author).
- *Coming Soon to a Computer Near You: Minnesota Court Records*, Bench & Bar of Minnesota, October 2015.
- *Shifting Battleground: When Is Conflict Discovery Allowed After Glenn v. Metlife?*, Defense Research Institute, The ERISA Report, Volume 10 Issue 2 (Aug. 12, 2015) (co-author).
- *Hole-in-One for Land-Use Control: Endorsing the Dominance of Comprehensive Plans—Mendota Golf, LLP v. City of Mendota Heights*, 33 Wm. Mitchell L. Rev. 627 (2007)

Professional Associations

- Federal Bar Association
- Minnesota State Bar Association
- Hennepin County Bar Association

Civic Associations/Volunteer Activity

Mr. Linsk is a board member of the Jewish Federation of Greater St. Paul, and serves on and has chaired the federation's committee overseeing the allocation of $2.5 million in charitable funds to nonprofit agencies. He is an active member of the Twin Cities Cardozo Society. He has been a pro bono volunteer attorney for the Cardozo Society's Minneapolis Urban League Legal Aid Clinic, the Federal Bar Association Minnesota chapter pro se program, and the Children's Law Center of Minnesota. He has also been an alumni mentor for William Mitchell College of Law students.

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Professional Recognition

- Named a Minnesota Rising Star for 2015 by Super Lawyers®, a Thomson Reuters business.
- Named an 'Up & Coming Attorney' by Minnesota Lawyer in 2015

Education

- William Mitchell College of Law, 2008, *cum laude*

Bar Admissions

- 2008, Minnesota

Court Admissions

- Minnesota
- U.S. District Court, District of Minnesota
- U.S. District Court, Eastern District of Wisconsin
- U.S. District Court, Western District of Wisconsin
- U.S. Court of Appeals, Eighth Circuit
- U.S. Court of Appeals, Seventh Circuit

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