



BASSFORD REMELE

Steven M. Sitek

SHAREHOLDER



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PRACTICE GROUPS

Trust and Estates Litigation
Commercial Litigation
Fiduciary Litigation
Conservatorship and Guardianship
Proceedings
Legal Malpractice
Construction
Real Estate Litigation

OVERVIEW

Mr. Sitek is an aggressive, efficient and ethical trial attorney with more than 20 years of experience representing clients in trust and estate disputes, commercial and business litigation, fiduciary litigation, legal malpractice defense, and construction and real estate disputes.

He has successfully tried dozens of cases in state and federal courts across the country and is a Minnesota State Bar Association Civil Trial Specialist, a certification awarded to less than 3% of trial attorneys in Minnesota. Mr. Sitek relies on his experience and knowledge to effectively represent his client's interests in a collaborative manner to achieve their ultimate goals for a fair price and in the most efficient manner possible.

EDUCATION & ADMISSIONS

Education

Hamline University School of Law, J.D., *magna cum laude*, 1999

University of St. Thomas, B.A., 1996

Bar Admissions

- U.S. Court of Appeals, Ninth Circuit
- U.S. District Court, District of Minnesota
- U.S. District Court, District of Nebraska
- U.S. District Court, District of South Dakota
- U.S. District Court, Eastern District of Arkansas
- U.S. District Court, Western District of Arkansas
- U.S. District Court, Western District of Washington
- U.S. District Court, Eastern District of Wisconsin
- U.S. District Court, Western District of Wisconsin
- U.S. Court of Federal Claims
- Minnesota
- Washington
- North Dakota
- South Dakota
- Wisconsin

Certification

Minnesota State Bar Association Board Certified Civil Trial Specialist

EXPERIENCE

Representative Cases

- Obtained a jury defense verdict representing trustees accused of breach of fiduciary duties while simultaneously obtaining a judgment against the plaintiff for civil theft of and misappropriation of estate funds.
- Successfully negotiated major settlement in favor of disputed trust beneficiaries involving a \$60 million North Dakota Trust involving land and mining rights.
- Negotiated significant and favorable settlements for plaintiffs in two separate disputes involving prenuptial agreements involving payment of trust assets.
- Successfully negotiated a favorable settlement of a complex gas explosion case involving a small fraction of \$22 million in damages sought by plaintiffs.

Steven M. Sitek

SHAREHOLDER

continued

- Negotiated favorable settlements for plaintiffs in a breach of fiduciary duty matter against a trustee in Florida.
- Obtained multimillion-dollar settlement for plaintiff in fraud, civil theft, and tortious interference claims involving diversion of investment accounts and real estate.
- Won a \$2 million dollar verdict in a jury trial for a bank client in a breach of contract case.
- Won significant verdict in favor of clients who contested estate planning documents on the basis of undue influence and lack of testamentary capacity.
- Obtained successful decision in a court trial in favor of clients who contested several trust iterations on the basis of undue influence resulting in the shift of more than \$2 million in assets.
- Defended municipality in a two-week trial involving an alleged significant traumatic brain injury.
- Obtained appellate victory on behalf of clients seeking indemnification and advancement of attorney fees from limited liability corporation.
- Successfully defended hotel architect in South Dakota accused of providing negligent design services.
- Obtained favorable settlement for clients in breach of contract case involving mining exploration.
- Obtained summary judgment in favor of client contesting a will and antenuptial agreement.
- Obtained favorable result in North Dakota for engineering firm accused of providing negligent design services related to a wastewater system.
- Obtained favorable result for clients in case involving substantial property damage resulting from construction work.
- Obtained summary judgment in favor of trustee in case involving allegations of breach of fiduciary duties.
- Obtained defense verdict in Wisconsin for tankless water heater manufacturer accused of defective design in product liability lawsuit.
- Obtained favorable verdict in a breach of contract case on behalf of client involved in sale of airplane hangar.
- Obtained victory at trial for an airplane engine manufacturer in dispute regarding defective engine component parts.
- Successfully defended an individual alleged to be responsible for indemnifying a business claimed to be responsible for carbon monoxide poisoning of several family members aboard a houseboat; *Yang v. Voyagaire Houseboats, Inc.*, 701 N.W.2d 783 (Minn. 2005).

Publications

- *Assessing Capacity: A Requirement that Extends Beyond Estate Planners*, author, Vol. 12, No. 10, October 2023
- *Remodeling the Relationship: Modifying the Tripartite Relationship between Insurer, Insured, and the Insured's Attorney*, co-author, International Association of Defense Counsel, Construction Law and Litigation Committee Newsletter, January 2013
- *Claims for Contribution and Indemnity after Weston v. McWilliams: Where do the Claims Start and Where do the Claims Stop?*, co-author, Minnesota Defense, Fall 2006
- *Public Policy Considerations for Exculpatory and Indemnification Clauses*, co-author, 32 Wm. Mitchell L. Rev 1315 (2006)

Steven M. Sitek

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Seminars

- *Collaborative Trial Practice*, presenter, Academy of Certified Trial Lawyers of Minnesota 2023 Spring Meeting, May 4, 2023
- *Trustee Removals and Trust Modifications*, co-presenter with Amy Morris Hess, A Loss of Trust: What Trust and Estate Litigators Think Estate Planners Need to Know, Bassford Remele, January 24, 2023
- *Succession Planning: Practical and Ethical Considerations to Ensure the Future Success of Your Legal Organization*, presenter, International Association of Defense Counsel, November 2022
- *Trust Removals and Trust Modifications*, presenter, A Loss of Trust: What Trust and Estate Litigators Think Estate Planners Need to Know, Bassford Remele, January 24, 2023
- *Putting on the Greatest Show on Earth (Without Looking Like a Clown)*, presenter, International Association of Defense Counsel Midyear Meeting, February 26, 2020
- *Trust & Estate Risks and Pitfalls for Attorneys*, presenter, Minnesota Lawyers Mutual, July 17, 2019
- *Legal Update: Payment of Fiduciary Attorneys' Fees*, presenter, Minnesota Lawyers Mutual, May 2, 2018
- *Claims Handling for Minnesota Cases*, presenter, private insurance company, September 26, 2017
- *Trust and Estate Litigation*, presenter, Minnesota Lawyers Mutual, July 18, 2017
- *Litigating Under Minnesota's Uniform Trust Code*, presenter, U.S. Bank, January 27, 2016
- *Settling Trust and Estate Disputes Without Litigation*, presenter, National Business Institute, January 21, 2016
- *Recent Cases*, presenter, Minnesota State Bar Association Probate and Trust Section Annual Meeting, December 4, 2015
- *Minnesota's New Uniform Trust Code*, presenter, Minnesota CLE, November 2015
- *Mom Always Liked You Best – Trust and Estate Litigation and the New Minnesota UTC*, presenter, Bremer Wealth Management, November 9, 2015
- *Litigating Under Minnesota's Uniform Trust Code*, presenter, Minnesota Continuing Legal Education, October 28, 2015
- *Updates, Reallocation, Experts, Duty to Defend and Collateral Sources*, presenter, private insurance company, November 11, 2014
- *Claims Handling for Minnesota Cases: Directors and Officers*, presenter, private insurance company, March 18, 2014
- *Claims Handling for Minnesota Cases: Tenders of Defense, Indemnification, and Additional Insured Status*, presenter, private insurance company, November 5, 2013
- *Claims Handling for Minnesota Cases: First-Party Bad Faith, Premises Liability, Product Liability and No-Fault Arbitration*, presenter, private insurance company, March 7, 2013
- *Home Warranty Statute Changes: What Contractors Need to Know*, presenter, Bassford Remele public seminar, July 27, 2011

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PROFESSIONAL & CIVIC

Bar Associations

- Minnesota State Bar Association
 - Assembly, 2019-2020
 - Probate and Trust Law Section
 - Litigation Committee Section
 - Civil Litigation Section
- South Dakota State Bar Association
- State Bar Association of North Dakota
- State Bar of Wisconsin
- Washington State Bar Association
- Hennepin County Bar Association

Professional Associations

- International Association of Defense Counsel, past member
 - Business Litigation Committee
 - Vice Chair of Communications, 2014-2019
 - Construction Law Committee
 - Product Liability Committee
- Defense Research Institute
 - Cannabis Law Committee
- Professional Liability Defense Federation
- Minnesota Defense Lawyers Association, past member
 - Immediate Past President, 2019-2020
 - President, 2018-2019
 - Vice President, 2017-2018
 - Treasurer, 2016-2017
 - Secretary, 2015-2016
 - Board of Directors, 2010-2021
 - Construction Section; Board Liaison, 2017-2019; Chair, 2006-2009
 - Product Liability Section, Board Liaison, 2012-2017

Civic Involvement

- Advocates for Human Rights, Volunteer Attorney, Asylum Project
- Tubman Safety Project, Volunteer Attorney
- St. Paul Lacrosse, Board of Directors
- St. Paul Capitals, Hockey Coach
- Highland Little League, Baseball Coach
- Prodeo Academy, former tutor

ACCOLADES

Honors & Awards

- *The Best Lawyers in America*®, Insurance Law and Litigation-Trusts and Estates, 2021-present
- North Star Lawyer, Minnesota State Bar Association, 2019 and 2020
- Minnesota Super Lawyers list, *Super Lawyers*, 2013-present
- Minnesota Rising Stars list, *Super Lawyers*, 2006-2012
- Up and Coming Attorney, *Minnesota Lawyer*, 2010