

Jenny Gassman-Pines *Attorney*



Passionate advocacy. Incisive judgment.

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Overview

Clients look to Jenny Gassman-Pines for courtroom advocacy and guidance to help them resolve their most challenging issues.

A fierce courtroom advocate, Jenny is known for her presence, poise, and persistence when examining witnesses and arguing motions. Her mastery of the facts and law enables her to persuade judges, arbitrators, and juries effectively. Jenny's advocacy skill is matched by her ability to connect with clients and witnesses, particularly in matters involving sensitive issues or difficult personalities.

Many of Jenny's cases involve the defense of employment claims in court and agency settings, including claims of wrongful termination, discrimination, whistleblower violations, retaliation, and violation of non-competition and non-solicitation agreements. Jenny also regularly conducts internal investigations regarding allegations of employee misconduct ranging from threats of violence to sexual harassment and misconduct. And she develops proactive and incisive strategies when counseling clients about how to avoid litigation and disputes in employment relationships. As part of this counseling, Jenny offers sexual harassment and other training aimed at improving workplaces.

An engaging public speaker, Jenny speaks to audiences across the country regarding recent developments in employment defense and investigations. Jenny also regularly educates audiences of in-house counsel, business executives, and other trial attorneys about how to reduce liability exposure arising from business communications generally, and interactions with in-house counsel in particular.

Education

J.D., University of Minnesota Law School, *magna cum laude*, Order of the Coif; *Law and Inequality: A Journal of Theory and Practice*, Editor-in-Chief; Staff

B.A., Wesleyan University, English and Women's Studies, *Phi Beta Kappa*

Experience

Robins, Kaplan, Miller & Ciresi L.L.P.

Minnesota Supreme Court, Chief Justice Russell Anderson, Law Clerk

Representative Experience

BUSINESS LITIGATION

- Co-lead trial lawyer defending Fortune 100 company against allegations of breach of contract and fraud, including successful defense verdict.
- Successful arbitration of confidential contract dispute regarding allegation that client breached contract and was entitled to multi-million damages award. Arbitrator denied all of claimant's claims and awarded client damages on client's counterclaim for breach of contract. (AAA 2016)
- Successful motion for judgment on the pleadings in membership dispute between members of two limited liability corporations. Court ordered defendants to sell their membership interests to client. *Kulesa v. Whitcomb, Novak*, Case No. 82-cv-16-3199 (Tenth Judicial District, MN 2016)

EMPLOYMENT DEFENSE AND INVESTIGATIONS

- Grant of summary dismissal of wrongful termination and breach of contract claims by senior executive. (AAA 2019)
- Defeated motion for temporary restraining order in action in which plaintiffs alleged that client tortiously interfered with plaintiffs' contract with client's newly-hired employee. *Medtronic, Inc. and Medtronic USA, Inc. v. Ernst, Nevro Corp.*, Case No. 16-cv-244 (D. Minn. 2016)
- Successful defense of discrimination and wrongful discharge claims filed by a terminated broker against his financial services employer. Lawsuit voluntarily dismissed in exchange for client-defendants' agreement not to enforce court sanctions imposed. *Paul v. Blaylock*

Robert Van, LLC, et al., Case No. 13-cv-04068 (N.D. Ill 2015)

- Represented and helped clients reach a successful settlement in federal actions facing allegations of sex discrimination, racial discrimination, retaliation, and whistleblower claims
- Conducted several investigations regarding allegations of employee misconduct ranging from sexual misconduct to threats of violence

NEGLIGENCE PRODUCTS LIABILITY LITIGATION

- Successful resolution of products-liability actions against Fortune 100 company across multiple venues.
- Successfully argued appeal in negligence case and convinced court to recognize for the first time that the sport of snow tubing is an inherently dangerous activity. *Grady v. Green Acres, Inc.*, 826 N.W.2d 547 (Minn. Ct. App. 2013)

SCHOOL LAW AND PUBLIC SECTOR LITIGATION

- Successful defeat of Plaintiff's motion for temporary restraining order and preliminary injunction. Successful motion to dismiss on grounds that Plaintiff had not exhausted administrative remedies before filing suit. *J.A. v. Moorhead Public Schools, ISD No. 152*, No. 14-4639 (D. Minn. 2015)
- Successfully argued appeal of false arrest and prosecution case dismissed on the grounds of qualified immunity and absolute prosecutorial immunity. *Saterdalen v. Spencer*, No. 12-2953 (8th Cir. 2013)
- Successful motion for summary judgment in excessive force case on the grounds that officer's action was entitled to qualified immunity. *Reed v. Wallace*, No. 12-cv-1948 (D. Minn. 2013)

Admissions

- U.S. Court of Appeals for the Eighth Circuit
- U.S. District Court for the District of Minnesota
- State Bar of Minnesota

Professional & Community Affiliations

PROFESSIONAL AFFILIATIONS

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

COMMUNITY INVOLVEMENT

- Board of Directors, Planned Parenthood of Minnesota, North Dakota, South Dakota Action Fund (Board Chair, 2019-present; Director, 2012-present)
- Circle of Women Committee, YWCA of Minneapolis (2012-2015)
- Board of Directors, Jewish Community Action (2008-2014)
- Co-Chair, One Hour of Sharing Associates' Campaign, Mid-Minnesota Legal Aid (2011-2013)

Thought Leadership

PUBLICATIONS

- *Anti-Harassment Policies, Complaint Procedures & Culture, Sexual Harassment*, Minnesota CLE (2018)
- *Attorney-Client Privilege: What Every Attorney Needs to Know*, Minnesota CLE, Co-editor (2018)
- *Managing Attorney-Client and Work Product Privileges During (and After) the Investigation*, Handling Internal Investigations: Best Practices for Investigating Alleged Fraud, Bribery, Regulatory Noncompliance, and Other Types of Corporate Wrongdoing, Minnesota CLE (2017)
- "Defining Child Exposure to Domestic Violence as Neglect: Minnesota's Difficult Experience," *Social Work*, Vol 51, Issue 2 (with Jeffrey L. Edelson and Marissa B. Hill) (April 2008)

TEACHING AND LECTURING

- *Hollywood Lens on Lawyering*, Mixed Blood Theatre (June 9, 2020)
- *Ethics in the Time of COVID-19*, Minnesota CLE (May 15, 2020)
- *Protecting Client Confidences - Asserting and Maintaining the Attorney-Client Privilege*, Pressure on the Privilege, Minnesota CLE (September 2019)
- *2019 FMLA Update – New Cases, DOL Guidelines and Current Practices*, 2019 Employment

Law Institute, Minnesota CLE (May 2019)

- *Employment Law A to Z: How to Litigate an Employment Discrimination Case*, Minnesota CLE (February 2019)
- *Sally Should Smile More: Giving Non-Biased Feedback to Lawyers*, Hennepin County Bar Association (January 2019)
- *In-house Counsel in the Crosshairs of a Government Investigation*, Fourth Annual Corporate Counsel Institute, Minnesota State Bar Association Corporate Counsel Section, Moderator (March 9, 2018)
- *Managing Attorney-Client and Work Product Privileges During (and After) the Investigation*, 2017 Health Law Institute, Minnesota CLE (June 15, 2017)
- *Recent Heightened Focus on Pregnancy Discrimination and Pregnancy Accommodations, and Avoiding & Defending Claims of Family Responsibilities Discrimination*, 8th Annual Forum on Defending and Managing Discrimination Litigation, American Conference Institute (July 2016)
- *Pregnancy Accommodation and Discrimination – 5 Tough Cases*, 2016 Upper Midwest Employment Law Institute, Minnesota CLE (May 2016).
- *Whistleblower and Retaliation Claims in the Public Sector: Key Steps to Effectively Investigate and, if Necessary, Litigating Such Claims*, 2016 Public Sector Labor & Employment Law Conference, Minnesota CLE (February 2016)
- *What is “Sex” Discrimination Under Title VII? The Current Landscape in the Courts and at the EEOC*, Labor & Employment Law Institute, Minnesota CLE (November 2015)
- *Employment Discrimination*, Employment & Labor Law: Federal & Minnesota, Minnesota CLE (October 12, 2015)
- *Protecting Client Confidences: Asserting and Maintaining the Attorney-Client Privilege*, Pressure on the Privilege, Minnesota CLE (April 27, 2015)
- *Privilege in Multiparty Litigation – The Joint Defense and Common Interest Privileges*, Pressure on the Privilege, Minnesota CLE (April 27, 2015)
- *Depositions, Your First Civil Case in Minnesota State Court*, Minnesota CLE (April 9, 2015)
- Hot Topics in Attorney-Client Privilege for In-House Counsel,
 - Employment Law Institute (May 20, 2013; May 22, 2012; May 24, 2010)
 - Business Law Institute (May 7, 2013)
 - Minnesota CLE (February 16, 2011; May 18, 2010)
 - Minnesota CLE webcast (November 11, 2010)
- *Asserting (and Challenging) Attorney-Client Privilege and Work Product Objections: The Hottest Issues in Protecting Client Confidences*, Pressure on the Privilege, Minnesota CLE

(June 15, 2011)

- *Candid Advice for New Lawyers*, 2012 New Lawyer Experience Summer Session, Minnesota CLE (July 19, 2012)
- *Accounting 101 for Attorneys*, National Business Institute webcast (June 29, 2011; December 29, 2010)

Recognition

- Listed in *The Best Lawyers in America* (2021)
- Recognized as a "Labor & Employment Star – Minnesota" by Benchmark Litigation (2019-2020)
- Selected to Super Lawyers list, *Minnesota Super Lawyers* (2018-2020)
- Recognized as Minnesota State Bar Association North Star Lawyer for pro bono service (2015-2019)
- Selected to Rising Stars list, *Minnesota Super Lawyers* (2012-2016)
- Wesleyan University Service Award, presented to volunteers who have given sustained or significant service to Wesleyan University (2013)
- Arthur T. Pfefer Memorial Award, Twin Cities Cardozo Society (2009)
- Outstanding Achievement Award in Employment Discrimination Law, Minnesota State Bar Association, Labor & Employment Law Section (2006)
- Baldwin Fellowship, awarded to the member of the senior class who shows the most promise of becoming an outstanding lawyer and public spirited citizen, Wesleyan University (2003)
- Camp Prize, awarded for excellence in English Literature, Wesleyan University (2003)

Languages

Spanish