



## Charles N. Nauen

Charles N. Nauen has over thirty-five years of environmental and business litigation experience in federal and state courts. He represents many government, business, and political entities.

Charles Nauen was co-lead counsel for Minnesota Governor Mark Dayton in the 2010 gubernatorial election recount and he represented a group of individual voters in an effort to have their absentee ballots counted in connection with the 2008 senatorial election recount of U.S. Senator Al Franken.

Mr. Nauen served on the governing council of the Environment, Natural Resources, and Energy Section of the Minnesota Bar Association from 2004-2015, and is a past chair of the Hennepin County Bar Association's Environmental Law Section. He has been named a "Super Lawyer" every year since 1994 and was recognized as one of the Top 100 Minnesota Super Lawyers in 2010, and from 2013-2017. He was also named a 2011 Attorney of the Year by *Minnesota Lawyer*.

### Charles N. Nauen

Partner

612-596-4006

cnnauen@locklaw.com

### Practices

Environmental Law

Business Litigation

Campaign Finance & Election Law

Government Representation

### Education

University of Minnesota Law School, 1980,  
*cum laude*

Baylor University, 1976, *cum laude*

### Bar Admissions

1980, Minnesota

1998, Wisconsin

2015, South Dakota

### Court Admissions

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. District Court, District of Colorado

U.S. District Court, Central District of Illinois

U.S. Court of Appeals, Eighth Circuit

U.S. Court of Appeals, Eleventh Circuit

U.S. Court of Appeals, Federal Circuit

U.S. Supreme Court

### Representative Cases

- *T.F., et al. v. Hennepin County, et al.*, No. 17-CV-01826 (PAM/BRT) (D. Minn.) Defending Hennepin County in a putative class action lawsuit raising substantive due process claims regarding the County's child protective services program.
- *LSP Transmission Holdings, Inc. v. Lange et al.*, No. 17-CV-04490 (DWF/HB) (D. Minn.) Representing transmission developer in a Dormant Commerce Clause challenge to a Minnesota law giving in-state utilities the right of first refusal to build new electric transmission lines in the state.
- *Lakes and Parks Alliance v. Metropolitan Council*, No. 0:14-cv-03391-JRT-SER (D. Minn. 2018) Successfully defended Metropolitan Council in litigation challenging the environmental review conducted for the Southwest Light Rail Transit project.
- *John Does 1-3 v. City of Minneapolis and State of Minnesota*, No. 27-CV-15-17242 (Henn. Cty. Dist. Ct.) Represented City of Minneapolis in Data Practices Act matter.
- *Vasseur, et al. v. City of Minneapolis, et al.*, Court File No. 27-cv-16-11794 and Appeal No. A16-1367 (Minn.). Represented City of Minneapolis before Minnesota Supreme Court in appeal regarding proposed ballot initiative to amend City Charter.

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## Professional Associations

- Hennepin County Bar Association (Environmental Law, Civil Litigation, and Mediation and Arbitration Sections), Environmental Law Section Co-Chair (1999-2010)
- Minnesota State Bar Association (Environmental, Natural Resources and Energy Law, Civil Litigation, and Antitrust Sections), Council Member, Environment, Natural Resources and Energy Law Section Council (2004-2015)
- Wisconsin State Bar Association
- South Dakota State Bar Association
- Federal Bar Association (Energy, Environmental and Natural Resources, Antitrust and Trade Regulation, and Federal Litigation Sections)

## Professional Recognition

- Rated AV Preeminent by Martindale-Hubbell.
- Minnesota Super Lawyer for environmental law (1994-2010 by the Minnesota Journal of Law and Politics and 2011-2017 by Super Lawyers®).
- Recognized as one of the Top 100 Minnesota Super Lawyers in 2010 and from 2013-2017.
- Attorney of the Year by Minnesota Lawyer in 2011
- Minneapolis Lawyer of the Year for Environmental Litigation or Environment Law by Best Lawyers® in 2010, 2012 and 2017
- Listed in Best Lawyers® since 1999.
- Recipient of Stanley V. Kinyon Teaching Award for Excellence in Education as Adjunct Professor of the Year at University of Minnesota Law School, 2011.
- Recipient of 2016 Eldon G. Kaul Distinguished Service Award for significant commitment and outstanding contribution to Environmental, Natural Resources or Energy Law in the state of Minnesota.
- Recipient of Sidney Barrows Lifetime Commitment Award from the Twin Cities Cardozo Society at their 17th annual dinner recognizing his service to the legal and Jewish communities, November 2016

- *Minnesota Center for Environmental Advocacy v. Minnesota Pollution Control Agency and Metropolitan Council*, No. A15-1622 (Minn. Ct. App. 2016) Successfully represented Metropolitan Council in a challenge to the Clean Water Act permit for its wastewater treatment facilities.
- *City of Minneapolis v. Lake and Knox, LLC*, No. 27-CV-13-22018 (Hennepin Cty. Dist. Ct.) Represented City of Minneapolis in litigation regarding unauthorized discharge of groundwater to storm sewer system and Minneapolis chain of lakes.
- *Miller & Graham v. Ramsey County Sheriff Matthew Bostrom & County of Ramsey*, No. 11-cv-2401 (D. Minn.). Represented defendants against claims of First Amendment retaliatory discharge by two former Ramsey County Sheriff's deputies. Obtained dismissal of Ramsey County and successfully defended Sheriff Bostrom in a jury trial in federal court.
- *Minnesota Public Radio v. Metropolitan Council*, No. 62-CV-10-988 (Ramsey Cty. Dist. Ct.). Represented regional government entity in litigation regarding mitigation of light rail transit vibration and ground-borne noise.
- *AgStar Financial Services v. LOL Finance Company and 4 Square Cattle Services*, No. 62-CV-10-9789 (Ramsey Cty. Dist. Ct.). Represented lender in breach of contract dispute against co-lender relating to multi-million agribusiness loan.
- *Regents of the University of Minnesota v. Metropolitan Council*, No. 27-09-23445 (Hennepin Cty. Dist. Ct.). Represented regional government entity in complex environmental litigation involving construction of light rail transit line.
- *Danny's Trannys v. State of Minnesota*, No. C7-00-5714 (Ramsey Cty. Dist Ct.) Represented class of Minnesota Assigned Risk Plan policyholders in lawsuit to prevent State of Minnesota's appropriation of Assigned Risk Plan surplus and to return surplus to policyholders.
- *Martin v. Dicklich*, No. A12-1588 (Minn. 2012) Successful petition to the Minnesota Supreme Court to allow a major political party to identify a new candidate to appear on the general election ballot after the endorsed candidate withdrew from the election.
- *NAACP v. Metropolitan Council*, 144 F.3d 1168 (8th Cir. 1998), cert. denied, 119 S.Ct. 73 (1998) Defended Metropolitan Council in class action alleging Metropolitan Council housing policies and practices were responsible for alleged unlawful segregation in Minneapolis Public Schools.
- *Ben Oehrleins & Sons & Daughter v. Hennepin County*, 115 F.3d 1372 (8th Cir. 1997), cert. denied, 118 S.Ct. 629 (1997) Defended Hennepin County in lawsuit by garbage haulers and landfill owners alleging County flow control ordinance discriminated against interstate commerce in violation of the United States Constitution's dormant Commerce Clause.
- *Robinson Rubber Products Co., Inc. v. Hennepin County*, No. 4-95-220 (D. Minn.) Defended Hennepin County in class action lawsuit by waste generators alleging County flow control ordinance discriminated against interstate commerce in violation of the United States Constitution's dormant Commerce Clause.

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## Presentations

- Mr. Nauen has served as an adjunct professor of environmental law at the University of Minnesota Law School since 1991.
- Speaker, “Minnesota Chiefs of Police Association Awards Banquet and President’s Welcome Breakfast,” 5/4/2017
- *Cutting Edge Issues in Environmental and Energy Justice*, 11th Annual Minnesota Environmental Institute, 4/23/2015
- *Judicial Election Results (and What They Mean for Attorneys and Their Clients)*, presented to the MSBA Assembly, 9/15/17
- *2014 Judicial Election Results: What Do They Mean for Civil Attorneys and Their Clients?*, Hennepin County Bar Association, Civil Litigation Section, 12/8/2014
- Facilitated “Electronic Discovery & Litigation Readiness” hosted by Lockridge Grindal Nauen P.L.L.P., 6/3/2014
- “Food for Thought” series, Mount Zion Temple, St. Paul, Moving Forward in the Fight for Marriage Equality (discussing the 6/26/2013 U.S. Supreme Court decisions regarding marriage equality, the aftermath and implementation of the decisions, and the next steps in the fight for marriage equality in the United States), 11/15/2013
- Warren E. Burger American Inn of Court, Town & Country Club, St. Paul. Along with attorney Joe Friedberg presented “Coleman-Franken Revisited” and discussed the historic 2008 senate race recount and subsequent election contest, 11/20/2013.

## Community Involvement

- Jewish Federation of Greater St. Paul: Vice President (2015-present); Campaign Chair (2012); Men’s Division Chair, (2008/2009) Annual Campaign; Member, Board of Directors (2009-present)
- Mount Zion Temple, Board Member (2011-2015); Chair, Annual Campaign (2016-present)
- Twin Cities Cardozo Society, Member (Cardozo Society Annual Dinner Co-Chair, 2010)
- One of 130 lawyers and jurists from around the world invited to a conference hosted by the Israeli Ministry of Foreign Affairs in September 2010. He and Andrew Parker, a fellow attendee from the Twin Cities, make presentations throughout the community discussing their visit to Israel and efforts to combat the world-wide delegitimization of Israel.

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