



David J. Zoll

David Zoll specializes in complex litigation matters and appeals. He frequently represents governmental entities and businesses in high-profile cases involving environmental, business, and constitutional law. His environmental law practice includes representation of clients in matters relating to environmental contamination, energy development, and environmental review under to state and federal law. David is an experienced member of the firm's litigation practice with trial experience in both state and federal court. Clients rely on him because of his proven record and sound judgment.

David also has a specialized practice in campaign finance and election law. He advises political parties, candidates, and independent organizations on compliance with complex and ever-changing regulations. David assisted in the representation of Governor Mark Dayton in the 2010 gubernatorial election recount and was part of the trial team representing Senator Al Franken in the 2008 senatorial election contest. David also advises non-profits regarding compliance with state and federal laws relating to lobbying, issue advocacy, and campaign activities.

David currently serves as a Chair of the Environmental Law Section of the Hennepin County Bar Association and is a former Chair of the Minnesota State Bar Association's Environmental, Natural Resources and Energy Law Section where he continues to serve as a member of the section's governing council. David is an adjunct professor with the University of Minnesota Law School where he teaches an Advanced Environmental Law seminar. David was recognized as a "Rising Star" by Minnesota Law and Politics from 2011 to 2017.

Representative Cases

- *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.
- *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.

David J. Zoll

Partner

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Practices

Environmental Law

Business Litigation

Campaign Finance & Election Law

Government Representation

Education

University of Minnesota Law School, 2003,
cum laude

Iowa State University, 2000, B.S. Psychology, Minor
Environmental Studies

Bar Admissions

2003, Minnesota

Court Admissions

Minnesota

U.S. District Court, District of Minnesota

U.S. Court of Appeals, Eighth Circuit

U.S. Court of Appeals, Eleventh Circuit

Professional Associations

- Minnesota State Bar Association, Environmental, Natural Resources, and Energy Section, Member and former chair of section council
- Hennepin County Bar Association, Co-Chair of Environmental Law Section

Professional Recognition

- Named a Minnesota Rising Star from 2011-2017 by Super Lawyers®

Presentations

- *State and Federal Environmental Review*, Minnesota Environmental Institute, April 20, 2017
- *Basics of Environmental Review*, Minnesota Environmental Institute, April 19, 2012
- *The Basics of Environmental Review*, Minnesota Environmental Institute, April 23, 2009
- *Regulating Greenhouse Gas Emissions from Motor Vehicles — A Litigation Update*, National Conference of State Legislators, Fall Forum, November 29, 2007
- *NEPA, MEPA, and MERA Update*, Minnesota Environmental Institute, April 12, 2018

Community Involvement

- Greater Twin Cities Youth Symphonies, Board of Directors, 2016-Present
- University of Minnesota Law School, Adjunct Professor, Advanced Environmental Law, 2017-present
- Lakeville Soccer Club, Volunteer Coach, 2011-2016
- Minnesota Center for Environmental Advocacy, Legally Green Steering Committee, 2016-2017

- *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.
- *In the Matter of Petition of Xcel Energy for Approval of Acquisition of 600 MW of Wind Generation*, No. A14-0438 (Minn. Ct. App. 2015) and *In the Matter of Xcel's Request to Issue Renewable Development Fund Cycle 4 Requests for Proposals and Petition for Approval of a Standard Grant Contract*, No. A14-1006 (Minn. Ct. App. 2015) Represented renewable energy developer in an appeals of Public Utilities Commission approvals of power purchaser agreements awarded to competing developers.
- *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.
- *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.
- *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.
- *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.
- *Dennis Peterson, et. al. v. Mark Ritchie, et. al.*, Ramsey County District Court (62-CV-09-56) Represented individual voters in petition to have absentee ballots counted in 2008 U.S. Senate Election Recount.
- *State of Minnesota v. Richard Lepak*, Minnesota Court of Appeals (A09-1894) Represented private land owner in appeal of quick-take condemnation by the Minnesota Department of Transportation.
- *Nicollet Cattle Company, Inc. v. United Food Group, LLC*, District of Minnesota (08-CV-05899) Represented seller of imported meat products in claim for damages resulting from a customer's cancellation of numerous outstanding purchase agreements.

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- *In the matter of the Cities of Annandale and Maple Lake NPDES/SDS Permit*, Minnesota Supreme Court (A04-2033) Amicus curiae brief on behalf of Metropolitan Council in case addressing permitting authority under the Clean Water Act.
- *Minnesota Center for Environmental Advocacy v. Minnesota Pollution Control Agency*, Eighth Circuit Court of Appeals (05-1113) Represented citizen's group in appeal of an air emissions permit issued to Rochester Public Utilities and successfully negotiated a settlement between the parties.
- *In re Bankruptcy of GFI America, Inc.*, District of Minnesota (05-47855) Assisted in the representation corporations and individuals in defense of adversary actions commenced by bankruptcy trustee.
- *Legacy Financial Group v. U.S. Bank N.A.*, Hennepin County District Court (05-12144) Represented U.S. Bank in defense of action involving embezzlement by plaintiff's employee with successful settlement at trial.
- *Chippewa Concrete, Inc. v. U.S. Bank N.A.*, Chippewa County (Wisconsin) Circuit Court (02-CV-304) Represented U.S. Bank in defense of action involving embezzlement by plaintiff's employee with successful settlement at trial.
- *In re WorldCom Securities Litigation*, Southern District of New York (02-cv-3288) Assisted in representation of investors through analysis of materials produced by defendants and trial preparations. Settlement resulted in recovery of \$6.15 billion of investors' losses.

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