



## Declaration of Candidacy

Candidates for election as Second Vice President or Director Elected Nationally must complete this form and submit it to the Chief Executive Officer at the principal headquarters of DRI by 5:00 PM (CDT) on July 1<sup>st</sup> of the year in which the election is held.

**National Director Requirements** - Directors Elected Nationally or by Region must be Individual Members of the Corporation admitted to the practice of law. Each such director must meet the following qualifications at the time of election: (a) The candidate shall have been a DRI member for a total of at least five (5) years, and (b) The candidate shall have been a member of at least one DRI substantive law committee for at least three (3) years, and (c) The candidate must have registered for and attended at least one (1) DRI Annual Meeting within the previous three (3) years, and, within the three (3) years prior to the final day of the Annual Meeting, the candidate must have 1) registered for and attended at least two (2) DRI seminars, or 2) registered for and attended one (1) DRI seminar and one (1) DRI Regional Meeting.

### Position sought

Second Vice President\*       Secretary- Treasurer       National Director

\*If you have declared your candidacy for Second Vice President and are not the successful candidate, will you consider the Secretary - Treasurer Officer position?

Yes       No

Name: Steve Plunkett

Firm/Company: Bassford Remele, P.A.

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**Education:**

- J.D., University of Minnesota
- B.A., Political Science, University of Minnesota

**Awards and Achievements:**

- The Best Lawyers in America: Personal Injury Litigation – Defendants, 2018-present; Professional Malpractice Law – Defendants, 2019-present
- The Best Lawyers in America: Minneapolis Professional Malpractice Law – Defendants, Lawyer of the Year, 2021
- Minnesota Super Lawyers, 2007-present
- Minnesota Super Lawyers, Top 100, 2009
- Peer Review AV Preeminent rated by Martindale-Hubbell

**Areas of Practice:**

- Professional Liability with focus on long-term care
- Organizational Liability for Sexual Misconduct/Abuse
- Health Care Litigation

**Employment history (Please do not include years):**

- Bassford Remele, P.A., Compensation Committee Member and Chair
- Rider Bennett, LLP, Managing Partner for three years

**Noteworthy Defense Work:**

After attending the DRI Nursing Home seminar in 2001, I saw the opportunity to support an industry that had the opportunity for tremendous growth. Since that time I have focused my practice on representing national and regional providers of long-term care services. With that focus, I have presented nationally on issues of importance to the industry and served as a carrier’s national coordinating counsel. Below is a sampling that is representative of my experience.

- *McFarlane v. Dove Healthcare*, Eau Claire Circuit Court, WI, court file 15-CV-526: The case involved a pressure wound injury to a skilled nursing facility resident who was represented by two top Wisconsin trial attorneys. The court allowed a punitive damages claim to be asserted and plaintiff

sought \$3M in damages. After a six-day trial, the jury returned a unanimous defense verdict.

- *Ironwood Springs Christian Ranch, Inc. v. Walk to Emmaus*, 801 N.W.2d 193 (Minn. Ct. App. 2011): The case involved novel issues of Minnesota law related to a premises liability lawsuit. After a three-day trial, the jury returned a unanimous defense verdict. The verdict was affirmed on appeal.
- *Knutson v. Good Samaritan Evangelical Society*, Minnesota arbitration: Case received national coverage because of allegations of physical and sexual abuse by care providers. After a three-day arbitration, the arbitrator ruled plaintiff failed in his burden of proof.

### **Professional Affiliations**

- Minnesota Defense Lawyers Association
- Minnesota State Bar Association
- Wisconsin State Bar Association
- Hennepin County Bar Association

### **Have you been a DRI member for 5 or more years? Yes**

Please describe your previous involvement in DRI, including but not limited to, leadership positions held, projects contributed to, Committee memberships, presentations given, and written materials authored. Special accomplishments should also be noted.

### **Leadership Roles:**

- Law Institute: Chair 2018-2020, Vice Chair 2016-2018, Member 2008-present
- Annual Meeting: Chair 2019, Vice Chair 2018
- Medical Liability and Health Care Law Committee
  - Committee Chair 2007-2009
  - Committee Vice Chair 2005-2007
  - Long Term Care Subcommittee Chair 2003-2005
  - Nursing Home/ALF Seminar Chair 2004 and 2005
  - Nursing Home/ALF Seminar Vice Chair 2003
  - Steering Committee Member 2002-present
- DRI Annual Meeting Task Force Member 2018
- DRI Executive Director Search Advisors Group Member 2018
- DRI 21st Century Lawyer Task Force Member 2013-2014
- DRI Annual Meeting Moderator for main stage presentation 2007

## Oral Presentations:

- Seminar Moderator/Planner, DRI Medical Liability and Health Care Law Seminar, 2013-2020
- Seminar Moderator/Planner, DRI Cannabis Law Seminar, 2016-2020
- Litigation & Risk Management Considerations in Senior Living & Social Services, presenter, M3 Insurance, Minneapolis, MN, November 8, 2017
- Section 1983 Litigation and Olmstead Defenses in Long Term Care, presenter, M3 Annual Defense Strategies Symposium, Madison, WI, August 23, 2017
- Power of Apology, presenter, University of Minnesota School of Nursing, Minneapolis, MN, April 23, 2015
- Power of Apology, presenter, Presbyterian Homes and Services, Roseville, MN, September 11, 2014
- Power of Apology, presenter, Minnesota Care of the Aging Conference, Minneapolis, MN, February 25, 2013
- Medical Spa Litigation, presenter, 2012 Medical Malpractice Conference, Minnesota Defense Lawyers Association, Hennepin County Bar Association and Minnesota Association for Justice, Minneapolis, MN, April 19, 2012
- Medical Spas: The Next Wave of Litigation in a Rapidly Growing Field? presenter, DRI Medical Liability Seminar, New Orleans, LA, March 8-9, 2012
- Power of Apology, presenter, Minnesota Medical Directors Association Fall Conference, Bloomington, MN, October 22, 2009
- What Meetings Hosted by Corporate Health Providers Can Do for your Seminar Attendance, presenter, DRI Annual Meeting, October 11, 2006
- Long-Term Care Panel, moderator, ALFA Health Care Seminar, November 11, 2005
- Discovery Issues – Defense Perspective, presenter, Minnesota Trial Lawyers Association, Representing Injured Elders, April 16, 2004
- Use of Technology at Trial, presenter, DRI Nursing Home/ALF Litigation Seminar, September 18, 2003
- Update on Legislative Initiatives affecting Long-Term Care, presenter, Minnesota Institute of Legal Education, Long Term Care in Crisis, April 1, 2003
- Use of Experts, presenter, Minnesota Trial Lawyers Association, Fourth Annual Nursing Home Seminar, March 21, 2003
- Successful Case Management from Investigation to Trial, presenter, National Business Institute, Nursing Home Malpractice in Minnesota, November 22, 2002
- Trends in Nursing Home Litigation, presenter, DRI Nursing Home/ALF Litigation Seminar, September 12, 2002
- Use of Experts, presenter, Minnesota Institute of Legal Education, Nursing Home Litigation, June 28, 2002

- Defense Perspective on Discovery, presenter, Minnesota Trial Lawyers Association, Third Annual Nursing Home Seminar, February 22, 2002
- Handling the Defense of Personal Injury Claims through Trial, presenter, National Business Institute, Trying the Automobile Injury Case, March 1, 2002
- Nursing Home Liability, presenter, Minnesota Health & Housing Alliance, July 31, 2001
- 11th Amendment Immunity, presenter, Federal Bar Association, June 1, 2000
- Laws Regulating Insurance Agents, presenter, Prosource, October 29, 1999
- Litigation Issues for Agents & Brokers, presenter, Minnesota Institute of Legal Education, Minnesota Law on Insurance Agents & Brokers, October 20, 1999
- Agent and Brokers Liability, presenter, Prosource, May 10, 1999
- Course Co-Chair, Minnesota Defense Lawyers Association, Release Deskbook, September 23, 1998
- Settlement and Ethics, presenter, National Business Institute, Adjusting the Automobile Injury Claim, March 10, 1998
- Defense Planning, Settlement Methods, Ethical Considerations, Trial, and Post-Trial Motions, presenter, National Business Institute, Trying the Automobile Injury Case, February 15, 1995
- CGL Issues and Answers, presenter, Prosource, October 12, 1993 and September 17, 1993

#### **Published Articles:**

- “When does  $14 + 30 = 48?$ ,” *For The Defense* (July 2020)
- “Come to New Orleans to See How the Past and Present Can Define Your Future,” *For The Defense* (July 2019)
- “From the Chair: Depth and Breadth,” *For The Defense* (June 2008)

#### **Special Accomplishments:**

**Law Institute:** A major focus of the Law Institute (LI) is providing the gold standard for education of DRI members and members of the legal community through in-person seminars. In March 2020, the world literally shifted under our feet with the pandemic. The LI needed to shift from in-person seminars to virtual seminars almost overnight. As the chair of the LI, I had the opportunity to lead the tremendously talented and hard-working LI members to create a whole new paradigm for providing top-quality education on a virtual platform. Through the incredible effort of the LI and DRI staff, we were able to provide remote-learning and networking experiences for 15 months – allowing DRI to remain the leader in educational services.

**2019 Annual Meeting:** I had the privilege to chair the 2019 Annual Meeting in New Orleans. Not only was the meeting a financial success, it delivered on its vision to highlight the strength of the human spirit. Main stage speaker Rudy Bridges knocked it out of the park with her presentation on her role as a young girl desegregating the New Orleans’

school system. Her courage was memorialized by Norman Rockwell in his painting of Ruby walking to school and presented when she challenged the Annual Meeting audience to use our power and skills as lawyers to be agents of change. We also had the incredible experience of the DRI members leading a parade to the Fulton Alley venue - generating memorable networking experiences and positively reflecting the benefits of DRI membership.

**Specialized Seminar Offering:** I, along with Matt Biscan, conceived, proposed, and led a new seminar to capture the unique and growing legal field related to cannabis law. The Cannabis Law seminar, which is not supported by a substantive law committee, in five short years has become the go-to seminar for practitioners in the cannabis industry. This seminar's topics and issues reach far beyond the traditional base of DRI members and provides the opportunity for membership growth in new areas.

**List any leadership roles in other defense organizations.**

- ALFA Health Care Practice Group Steering Committee Member 2004-2007

**Describe your goals if you are elected to the above position.**

The significant benefits of DRI are not known well enough by the legal community and to some degree by the DRI members. I believe the new structure of the DRI staff will allow DRI to better communicate its value and in doing so support DRI's membership. I have three areas on which I will focus: (1) Diversity, equity, and inclusion; (2) development of young lawyers, and (3) on-demand educational programming.

1. **DEI:** DRI needs to continue its emphasis on diversity, equity, and inclusion (DEI). DRI can support law firms in their recruitment, training, and retention commitments by providing best practices guidance and educational support. As a member of the Law Institute, I have proposed that all seminars include a session on DEI like we do for the ethics component. As a Director, I would have the opportunity to continue and support this effort.
2. **Young Lawyers:** The desires and goals of lawyers coming into private practice are changing. These lawyers won't settle for the status quo and want to understand their place and role in the growth and future of their law firms. Through the Young Lawyers committee and other educational opportunities, I would work to bridge the gap in the traditional assumption that current associates will follow the model used by many current partners/shareholders. Work-life balance and finding meaning in their work is very important to new lawyers and DRI needs to help law firms adapt to how this change will affect the traditional business model upon which many law firms operate.
3. **On-Demand Programming:** DRI's successful shift to virtual/online educational programming because of the pandemic provides a jump-start for DRI becoming the gold standard and go-to source for on-demand educational products. DRI has strengthened its staff to support this new programming and committees have elevated

the role of online programming chairs. As a Director, I would use my knowledge and skills developed during my time on the Law Institute to support this mission-critical effort.

**What do you believe is the most important issue confronting the defense bar?**

The effect of virtual/remote technologies on the operation and culture of private practice firms is and will be a critical issue confronting the defense bar. The pandemic showed that we can operate law firms with our staff and attorneys working remotely. Law firms and other organizations are trying to create new systems to allow for flexible working environments which affect office space use, technology infrastructure, cybersecurity, and culture. While the first three issues seem more manageable, culture will be very critical to the successful transition to the new model. Mentoring, workflow management, and new business development take on very different looks when firm members no longer will be coming together five days a week. Further, the use of remote technologies like Zoom will change the need for travel for many aspects of a lawsuit. This will also affect the economic structure of law firms.

**Define the appropriate role for DRI as the national defense bar organization.**

DRI is uniquely positioned as a national defense bar organization. It has the depth and breadth that no other organization has through its substantive law committees and its state and local defense organizations. It further has organizational strength through the DRI staff. The new structure of the DRI staff allows for a huge shift in DRI members' volunteer roles and engagement. Volunteers often did operational tasks especially in the area of marketing. The DRI staff will now handle more of the operational tasks which allows volunteers to be strategic and forward thinking on policy issues.