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*Attorney
of the Month*

BRANDON
M. SCHWARTZ

2018 NEXT
GENERATION
*Attorneys
Special Issue*



ATTORNEY OF THE MONTH

BRANDON M. SCHWARTZ

Continuing a Legacy
of Legal Excellence

By Haley Wilson-Freeman



Schwartz Law Firm in Oakdale has long been recognized for uncompromising legal representation in an array of business, personal injury and family law matters. As a lawyer of the next generation, Brandon Schwartz is a partner at the firm that bears his family name, where he is continuing a legacy of legal excellence begun by his father, Michael Schwartz.

Schwartz enjoyed a notable first career as a professional hockey player in the American Hockey League and East Coast Hockey League, and eventually turned his competitive drive and tireless work ethic to the practice of law. He clerked at the family firm while earning his law degree, cum laude, at William Mitchell College of Law, and as soon as he passed the Bar, he skated into action.

"My parents always believed in me and pushed me to pursue my dreams," Schwartz says. "I didn't take the traditional route to college. I played junior hockey before getting a full hockey scholarship, and my parents encouraged me to chase my dream of playing Division I college hockey. After college, I wanted to play pro, and they supported that, too – even though the odds of making it to the NHL were slim.

"That same support carried over to the law," he continues. "From the beginning of my career in law, my dad entrusted me with responsibility for significant cases. My first swearing in was in Wisconsin, and the next day, I was taking a deposition. I'm fortunate, being in the position where I got to learn from him. Michael is the best at-

torney I know. He's always said that there's no better experience than handling cases from start-to-finish and learning successful strategizing. Importantly, he was always there in case something came up. He believed in me, and our clients believed in me. I think that kind of trust is hard to come by for a young attorney early in your career, but it gives you a huge boost of confidence. And the work ethic my parents instilled, the hardest working people I know, will always be at the forefront of my mind when advocating for our clients."

Schwartz has taken full ownership of the opportunities given, and he has made his mark as a trusted legal counselor and formidable courtroom advocate. He is both a Minnesota State Bar Association certified civil trial specialist and a National Board of Trial Advocacy certified civil trial advocate.

"I've always found the legal chess match fascinating. Competition is a big part of litigation, and I think, for me, it was a way to fuel that competitive drive after hockey into something greater – advocating for people and helping them through difficult issues that will make a lasting difference in their lives."

Schwartz Law Firm focuses primarily on business litigation, however, business clients often come back to the firm for assistance with other legal matters. As a result, Schwartz has developed a diverse legal repertoire.

"I think it makes me a better attorney, since it keeps my skills sharp, gives me broader legal knowledge, and I don't get burnt out on any one area of law. I really

enjoy trial, the challenges trial presents, the competition of trial, and having a client put their trust in me with significant issues on the line. I've found that a lot of attorneys are uncomfortable with going to trial and therefore push their clients into settlement. I'm comfortable taking a matter all the way to trial, if in the best interests of the client, and that confidence, I believe, gives our clients a favorable posture during any settlement discussions."

This powerhouse boutique represents clients spanning small businesses to multinational corporations in Minnesota, Wisconsin and Iowa, but it's the personal touch that inspires client loyalty and makes the Schwartz Law Firm an indispensable asset.

"So many clients come to us from other firms, and they often express that they don't like being passed around from attorney to attorney. They like knowing if they call with a question, it will be answered by Michael or me. I have a cell phone, and I have it for a reason – I want clients to call when they have questions, whether it be on weekends or at night, rather than pondering questions about their case."

The firm does no advertising and operates solely on referrals from current and former clients, as well as, oddly enough, opposing counsel or an opposing party. "It's a huge compliment to us when we litigate against somebody, and after it's resolved, that entity thinks of us when they need future trial counsel. Litigation is so adversarial. It is an honor when they recognize you did a favorable job for your client and want to hire you for future matters."

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While he continues to benefit from his father's sage legal advice, Schwartz, like many other young lawyers, is making significant contributions of his own to their partnership. For one, he and Kathy Schwartz, the firm's office manager and Brandon's stepmom, are helping the firm keep pace with the accelerating speed of business with more efficient communication and cost-saving digitization of files.

"With technology, everybody is operating around instant gratification and information. We're able to use technology to serve clients better and also make our cases more interesting to a jury. There are few jurors who haven't seen 'Law & Order' or 'CSI,' and as a result, they want to see sophisticated lawyering. When we prepare for trial, we prepare with the intention that technology can help keep the jury involved. Attention spans tend to be short, and if we can keep the topic interesting for them, our client has a better chance of winning."

Schwartz emphasizes that no matter the methods used, there is no substitute for hard work. "I think the most important lesson I've gotten from both parents (ac-

tually, all four parents since they're both remarried), is the value of hard work. They are the hardest working people I know. You don't necessarily have to be the smartest or most articulate person in the room, but you can't beat somebody who outworks you. We make sure there is never a case in which our opponents are better prepared than we are."

As a young attorney, Schwartz is also confronted with the daily challenge of balancing his demanding career with the responsibilities of a family.

"I can't say enough about the support I get from my family. And I unequivocally state that I have the most supportive wife in the world. She is amazing. She's understanding when I have to work late or take calls on the weekend, even while excelling at her own career and at being a mom. When it's our time, I try to focus on us and our daughter. Having flexibility is one of the things I love about our practice. If I need to leave early to take our daughter to a doctor's appointment, I have the freedom to do that. I think clients respect that, too. They respect that you put an emphasis on family, because they see we treat them with

that same care. We're there through what is often the most difficult event in someone's life. If we're not walking the talk in our own life, why would they believe we would do it for them?"

Schwartz has also learned that by taking time to care for himself, he has more to give. "So many times, I've thought of a strategy or argument or deposition question while working out, or while my wife and I were taking a walk. I've found that taking a step back allows me to regenerate and keeps me focused. If you want to put your best product forward, you have to know yourself and what you need to do that. If I call a client on a Saturday with an idea, they love that I'm thinking critically about their case, even on the weekend. They really appreciate that I want to solve their problem expeditiously and cost effectively."

Becoming a parent has also enhanced Schwartz's ability to resolve matters with greater empathy. "My daughter gives me the perspective to help people put some of their disputes in context and consider, 'Is it worth fighting about, or would this issue be better resolved another way?' While there are certain issues that require resolu-

AT A GLANCE

tion by the court, some are better resolved amicably.”

A recent case of Schwartz’s is soon to be the focus of investigative television series, “Insider Exclusive, Justice in America,” hosted by documentary film Producer and Director Steve Murphy. The series reports on stories of people who have faced life-altering adversities and the attorneys who guided them through the legal system.

The featured case involves a Minnesota man diagnosed with a catastrophic illness who was denied life-saving treatment as “not medically necessary” by insurance giant Blue Cross Blue Shield – despite the recommendations of six medical doctors. The man and his wife took the matter through the company’s external appeal process, where treatment was finally granted, but only after he had suffered additional surgery with lasting, detrimental consequences.

Schwartz represented the couple against Blue Cross Blue Shield, all the way to the Minnesota Supreme Court, for breach of its duty to provide coverage for “medically necessary” treatment per its insurance contract. Shockingly, after prevailing before the court of appeals, they were not victorious with the Minnesota Supreme Court.

“The obstacles we faced have broad implications for insureds everywhere about how to fight back when coverage is denied for something you need. This is a story that needs to be told as it has impact throughout Minnesota.”

Schwartz Law Firm is a true family legal practice, with other key roles at the firm filled by family members Kathy Schwartz, office manager, and Tyler Schwartz, process server and investigator. The team’s harmonious relationships and shared values yield a client experience that is extraordinary for its professional excellence and personal care. Although he has been approached by other firms who wish to hire him, Schwartz says he is committed to remaining where he is, continuing a family legacy of service into the next generation.

“We want our clients to know we take their case just as seriously as they do. We understand that it’s the biggest issue in their life. We love what we do and who we do it with. We care about the people we represent. We believe it shows in our dedication to our clients, the investment we make in their case, and the results we achieve on their behalf.”

SCHWARTZ LAW FIRM

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