

Resumé of

DONALD MARION LEWIS

Personal:

Office Address:

Wells Fargo Center, Suite 3875
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Minneapolis, MN 55402
612.332.8225
DonaldLewis@jamsadr.com

Education:

Legal: Harvard Law School, Cambridge, MA
J.D., June 1978

College: Northwestern University, Evanston, IL
B.S. in Journ. with Distinction, June 1975

Preparatory: St. Paul Academy, St. Paul, MN
Graduated Cum Laude, June 1971

Professional Experience:

June 2023 - Neutral
to date JAMS
Minneapolis, MN

Arbitrator, mediator and facilitator engaged in dispute resolution for business entities, government agencies, and non-profit institutions.

August 1996 - Co-Founder and Senior Shareholder
June 2023 Nilan Johnson Lewis, P.A.
Minneapolis, MN

July 2008 - Of Counsel
December 2013 Nilan Johnson Lewis, P.A.
Minneapolis, MN

Responsible for complex civil and criminal litigation, particularly in the federal courts; represent corporations, government agencies and municipalities, especially in employment and civil rights matters; corporate practice also includes internal investigation, white collar criminal defense, healthcare and non-profit governance, and alternative dispute resolution.

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Highlights: negotiated conciliation agreement with EEOC favorably resolving nationwide age discrimination claims against major retailer; achieved defense verdict for UPS after federal jury trial disability discrimination action; conducted review for Hennepin Healthcare of EMS use of ketamine during arrests by Minneapolis police officers; achieved defense verdict for MAT Industries after federal jury trial in whistleblower action; conducted independent review for Walker Art Center of acquisition, display and removal of *Scaffold* sculpture; conducted inquiry regarding electronic disclosure of protected information by University of Minnesota Board of Regents; appointed by Ramsey County Attorney as special prosecutor in investigation of Jeronimo Yanez in police shooting death of Philando Castile; supervised union recognition election and mediated collective bargaining agreement for building maintenance companies serving Target Corporation; conducted independent investigation for City of Minneapolis regarding July 2014 arrest of Al Flowers; served as general counsel to task force formed by Archdiocese of Saint Paul and Minneapolis to review policies related to child sexual abuse by clergy; led investigation for City of St. Paul regarding city knowledge of landslide risks in Lilydale Regional Park; obtained temporary injunction for St. Paul Travelers enforcing non-solicitation clause against former chief operating officer; achieved defense verdict after federal district court jury trial for St. Paul Travelers in race discrimination action brought by former officer; successfully represented Target Corporation in class action and pattern and practice race discrimination cases in Milwaukee and Philadelphia; successfully represented Millennium Inorganic Chemicals in Mississippi lead paint litigation; successfully defended Dey Inc. against pharmaceutical pricing fraud claims brought by Minnesota Attorney General; conducted investigation on behalf of University of Minnesota regarding allegations of academic fraud in the men's basketball program; successfully defended Lockheed Martin Corporation in Title VII discrimination and False Claims Act whistleblower cases; successfully defended HealthPartners in federal district court and appellate proceedings involving subrogation practices; supervised representation of Ford Motor Company in Minnesota property damage claims, including successful defense on appeal of economic loss doctrine; advised City of Saint Paul and University of Minnesota regarding minority contracting policies; conducted internal audit of contracting practices for Minnesota Departments of Administration and Transportation; conducted internal employment investigations for Augsburg College, Hamline University, Mitchell Hamline School of Law; National Marrow Donor Program, Ramsey County, St. Paul Travelers, and Twin Cities Public Television; and advised Minneapolis Public Schools on school desegregation matters. Board of Directors (1996-2001, 2004-2006, 2008, 2017-2020); General Counsel (2020-2022); Chair, Attorney Recruitment Committee (1996-1999); Co-Chair, Diversity Committee (2004-2008).

July 2008 - Dean and Professor of Law
December 2013 Hamline University School of Law
St. Paul, MN

Chief academic and administrative officer of law school with more than 650 students and 42 full-time faculty members; major responsibilities include strategic educational planning in collaboration with University administration; leadership and management of faculty and staff, including personnel evaluation, promotion and compensation; internal and external advocacy for law school programs, including alumni relations and fundraising; interaction with students in support of educational and professional goals; financial planning and budget

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oversight. Highlights: improved the law school's *U.S. News & World Report* "Best Law Schools" and "Part-Time J.D. Programs" national rankings; achieved recognition by *The National Jurist* magazine as among the top five "best value" and top 20 "most innovative" law schools in the U.S.; maintained *U.S. News* national specialty rankings for the law school's institutes in dispute resolution and health law, and launched a third institute in business law; enhanced programs in experiential education, led by a new associate dean; launched master in the study of law program and expanded non-J.D. certificate programs; enhanced marketing function with new assistant dean; developed and taught course in "The Business of Lawyering;" managed substantial budget reductions and realignment of faculty and staff in response to declining enrollments; significantly increased alumni participation and annual giving.

January 1988 - Senior Attorney and Shareholder
August 1996 Popham, Haik, Schnobrich & Kaufman, Ltd.
Minneapolis, MN

Experience included complex civil and criminal litigation, including jury trials and appellate practice, primarily on behalf of corporate and government clients. Highlights: supervised representation of Ford Motor Company in Minnesota against consumer claims and property damage subrogation actions; defended Minneapolis Public Schools and St. Paul public school district in employment and first amendment litigation; represented Minneapolis Public Housing Authority in defense and settlement of systematic public housing segregation litigation; and participated in firm's asbestos property damage litigation. Chair of the firm (1994-1996); Board of Directors (1992-1996); Chair, Personnel and Attorney Recruitment Committee (1991-1993).

May 1982 - Assistant United States Attorney
January 1988 District of Minnesota
Minneapolis, MN

Responsibilities in federal criminal prosecution, particularly in cases involving white collar crime; coordinator of criminal tax prosecutions; duties included issuance of criminal complaints, preparation and review of search warrants, initiation and organization of grand jury investigations, presentation of testimony and indictments to grand juries, evidentiary presentation and argument at pretrial motion hearings and jury trials; and preparation of briefs and oral arguments before courts of appeal. Tried approximately 25 jury cases.

August 1978 - Trial Attorney
April 1982 Civil Rights Division
U.S. Department of Justice
Washington, DC

Responsibilities in managing and conducting civil rights litigation on behalf of the federal government, especially cases involving public colleges and universities. Highlights: lead counsel in *Ayers v. Winter* (Mississippi higher education desegregation), managing team of seven attorneys in discovery and trial preparation; participated in litigation and subsequent negotiation of consent decrees in higher education desegregation cases in Louisiana and

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North Carolina; lead counsel in *Zentgraf v. Texas A & M University* (sex discrimination in Corps of Cadets) and *Shabani v. Simmons* (expulsion of Mississippi Iranian students); advised Division leadership and staff on matters regarding educational testing.

Other Employment Experience:

Fall Semester 2015: Adjunct Professor of Law, University of St. Thomas Law School (White Collar Crime and Corporate Compliance)

Spring Semesters 2008, 2006 and 2004: Adjunct Professor of Law, Hamline University School of Law (White Collar Crime: Prosecution and Defense)

August 1985 - June 1989: Legal Writing Instructor and Tutor (adjunct)
William Mitchell College of Law

October 1977 - June 1978: Research Assistant (part-time), Center for Law and Education .

Summer 1977: Law Clerk, Dorsey, Windhorst, Whitney & Halladay

Summer 1976: Law Clerk, Briggs and Morgan

Summer 1975: Reporter, The Boston Globe

Summer 1974:

Summer 1973: Reporter, Minneapolis Tribune

Summer 1972:

Bar Membership:

State of Minnesota (October 1978); United States Supreme Court (April 1982); United States Court of Appeals, Eighth Circuit (February 1983); United States Court of Appeals, Tenth Circuit (May 1985); United States Court of Appeals, Third Circuit (June 1991); United States Court of Appeals, Seventh Circuit (November 2004); and several U.S. district courts, including United States District Court, Minnesota (June 1982).

Community and Political Activities:

Bush Foundation (Fellows Selection Committee 2020); HealthPartners, Inc. (Board of Directors 2013 to 2018; Chair 2015-2016; Vice Chair and Chair of Governance Committee, 2013-2014); Park Nicollet Health Services (Board of Directors, 2008-2012; Vice Chair and Chair of Governance Committee, 2008-2012); AMICUS (Board of Directors, 1993-2007; Chair, 2003-2005); William Mitchell College of Law (Board of Trustees, 2006-2008; Dean Search Committee, 2007); University of Minnesota Joint Degree Program in Law, Health and Life Sciences (Advisory Board, 2005-2008); Minnesota Urban Debate League (Advisory Board, 2004 to date); CitySongs (Board of Directors, 1998-2002); Hamline University School of Law (Dean's Advisory Board, 1994-1998); Catholic Charities of the Archdiocese

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of Saint Paul and Minneapolis (Board of Directors, 1993-1999); Girl Scout Council of Greater Minneapolis (Board of Directors, 1995-1997).

Sigma Pi Phi Fraternity, Omicron Boule (Archon 1999 to date; Sire Archon 2011-2012; Sire Archon-elect 2009-2010; Thesauristes, 2003-2006); Monitors Club (Member since 1999).

Advisory Committee for Selection of U.S. Attorney (2013); Obama for America Minnesota Finance Committee (2007-2008); Delegate, 1992 Democratic National Convention; Co-Chair, 2012 Minnesota DFL State Convention; Delegate, 1990, 1992 and 1998 Minnesota DFL State Conventions; Member, Minnesota DFL State Central Committee (1990-1994); Chair and Associate Chair [Former] Senate District 62 DFL (1990-1992); Associate Chair, Senate District 62 DFL (1992-1994); BlackPAC (Legal Counsel, 1990-1991).

Certifications:

Minnesota Qualified Neutral for Mediation (1996-2004, 2022 to date)
Minnesota Qualified Neutral for Arbitration (2019 to date)

Professional Activities:

American College of Trial Lawyers (Fellow since 2002); American Bar Foundation (Fellow since 1994); American Law Institute (Member since 1996); American Employment Law Council (Member since 2004); National Association of College and University Attorneys (Member since 1992; Strategic Planning Committee, 2005-2006; Legal Education Committee, 2006-2007); National Employment Law Council (Member since 1998); Criminal Justice Act Panel Attorney, District of Minnesota (since 2017); National Conference of Bar Examiners Blueprint Development Committee (Member 2020); Eighth Circuit Judicial Conference Planning Committee (2004-2005); NBA97 Minnesota Annual Convention Committee (Co-Chair, 1996-1997); National Bar Association (Board of Governors, 1992-1995); U.S. Magistrate Judge Merit Selection Panel, District of Minnesota (1994, 1996 and 2014); Civil Justice Reform Advisory Group, District of Minnesota (Member, 1991-1993); Minnesota State Bar Association (Chair, Membership Committee, 1990-1991; Civil Litigation Section Governing Council, 1992-1994); Hennepin County Bar Association (Member, Judicial Evaluation and Ethics Committee, 1993-1996); Minnesota School Boards Association (Council of School Attorneys); Minnesota Association of Black Lawyers (Co-Founder; Treasurer, 1995-2001); Minnesota Minority Lawyers Association (President, 1987-1989; Board of Directors, 1984-1989); Warren E. Burger Inn of Court (Master and Executive Committee, 1989-1991); Central Minnesota Legal Services (Board of Directors, 1989-1993).

Awards and Recognition:

Richard Sheppard Arnold Award for Distinguished Service by the Association of the Bar of the U.S. Court of Appeals for the Eighth Circuit, July 2023; Profiles in Courage Award by Minnesota Association of Black Lawyers, November 2018; Among "Outstanding Directors 2018" designated by Twin Cities Business, October 2018; Among "Power 100" Most Influential Black Lawyers designated by On Being A Black Lawyer, 2012, 2013; Norman S.

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Early, Jr. Founder's Award by National Black Prosecutors Association, July 2011; "Super Lawyer" designated by Minnesota Journal of Law and Politics, 1997 – 2008, 2017-2018; President's Award by Minnesota Association of Black Lawyers, November 2000; Among "1999 Attorneys of the Year" designated by Minnesota Lawyer, 1999; Special Commendations, U.S. Department of Justice, May 1980 and July 1981; Outstanding Performance Rating, U.S. Department of Justice, June 1980 and June 1981

Publications:

Workplace, Diversity, Equity and Inclusion Handbook (co-editor with K. M. Engdahl and L. M. Wong) Upper Midwest Employment Law Institute, April 2021)

Internal Employment Investigations Handbook (co-editor with P. Y. Beety and L. P. Schaefer) Upper Midwest Employment Law Institute, May 2015

"Teaching for Success: The Business of Lawyering," Law Practice (January/February 2014)

". . . And Two Steps Back: Civil Rights in the Reagan-Bush Era," The Hennepin Lawyer (May-June 1990)

"The Legal Aspects of Competency Testing," Today's Education (November-December 1979)

"Certifying Functional Literacy: Competency Testing and Implications for Due Process and Equal Educational Opportunity," 8 J. of Law & Educ. 145 (April 1979)

CLE and Other Presentations:

Panelist, "Optimizing Mediation—Upper Midwest Mediators Share Keys to Success" (Upper Midwest Employment Law Institute, May 2024)

Panelist, "COVID's Next Wave: Employment Claim Trends and Practical Impacts on Human Resource Management" (National Association of College and University Attorneys Annual Conference, June 2021)

Co-presenter, "Race Discrimination Litigation—The Impact of the Black Lives Matter Movement" (Upper Midwest Employment Law Institute, May 2021)

Frequent media commentator on criminal and civil proceedings arising from May 2020 killing of George Floyd, including interviews with CNN, MSNBC, MPR, KARE-11, KSTP-TV, WCCO-TV, 830 WCCO Radio, Minneapolis/St. Paul Business Journal, and StarTribune.

Panelist, "Re-Imagining the Role of Prosecution" (Re-Imagining Justice Conference, Minnesota Justice Research Center, November 2020)

Co-presenter, "Substance Abuse as a Disability" (Upper Midwest Employment Law Institute, September 2020)

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Panelist, “Clarence Darrow: Crimes, Causes and the Courtroom” (The History Theatre and Ramsey County Bar Association, March 2020)

Panelist, “Ex Parte Contacts with Employees—Insider Informants, Hostile Company Witnesses and “Gag Orders” (Minnesota CLE Employment Law Institute, November 2019)

Panelist, “Peeling Back the Layers of #MeToo” (National Association of College and University Attorneys Annual Conference, June 2019)

Panelist, “Different Together: Public Service Through A Diverse Perspective” (Minnesota County Attorneys Association, November 2018)

Panelist, “The Hate U Give” (Hennepin County Bar Association CLE, June 2018)

Panelist, “Transparency, Accountability & Curiosity: The Interplay Between University Legal Counsel, University Relations, the Public and the Law” (National Association of College and University Attorneys Annual Conference, June 2018)

Panelist, “Ain’t Life Grand: The Use of Grand Juries in Police Involved Shooting” (National Consortium on Racial and Ethnic Fairness in the Courts Annual Conference, June 2018)

Panelist, “Investigation Landmines” (National Employment Law Counsel Academy, April 2018)

Panelist, “Ethics and Internal Investigations” (National Association of College and University Attorneys CLE Workshop, March 2018)

SPA Alumni/ae Council Speaker Series (St. Paul Academy and Summit School, February 2018)

“Equal Protection of the Laws: The Journey from Jim Crow to Gay Marriage” (Warren Burger Inn of Court, January 2018)

Plenary Panelist, “Acknowledging Lines: Talking About What Unites and Divides Us” (Association of Legal Writing Directors Biennial Conference, July 2017)

Panelist, “Justice for All: The Promise of Our Legal System” (National Bar Association Annual Convention, July 2017)

“Equal Protection of the Laws: The Journey from Jim Crow to Gay Marriage” (Ramsey County Law Library, May Day Address, May 2017)

Panelist, “Working With and Managing the Whistleblower” (National Employment Law Counsel Annual Conference, April 2017)

Panelist, “American Denial” (U.S. District Court and Normandale Community College, January 2017)

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Panelist, “Federal Criminal Liability of Corporate Officers for Product Defects” (ALFA International Product Liability & Complex Torts Practice Group Seminar, May 2016)

“Wellness Programs: What L&E Lawyers Need to Know” (National Employment Law Council Annual Conference, April 2016)

Co-Presenter, “Age Discrimination Update: The Cases and Their Impact” (Upper Midwest Employment Law Institute, May 2015)

Panelist, “Ex Parte Contacts with Employees: Insider Informants, Hostile Company Witnesses and ‘Gag Orders’” (Minnesota CLE, April 2015)

Panelist, “Internal Investigations: Effectively Handling 3 Key Communication Touchpoints” (Minnesota CLE, June 2014)

“Conducting High Profile Investigations: What To Do and Not To Do” (Minnesota CLE Upper Midwest Employment Law Institute, May 2014)

Moderator, “How Can Black Lawyers Build Successful Practices in Majority Firms and on Their Own?” (Minnesota CLE and MABL, April 2014)

Panelist, “The Ethics Dilemma: Offering Courageous Advice When Office or Board Misconduct Allegations Exist” (American Employment Law Council Annual Conference, October 2013)

Panelist, “Minnesota’s Legal Pioneers” (Minnesota CLE, May 2013)

Moderator, Panel on "Best Practices for Including a Diverse Population Within the Practice of Law: Hot Topics in Religion, Gender Identity and Disability" (Ramsey County Bar Association Diversity Committee, May 2013)

“Protect or Surrender: Attorney-Client Privilege in Internal Investigations” (MSBA Health Law Section and Hamline Health Law Institute, April 2013)

Panelist, “Thurgood Marshall’s Coming” (Periaktos Productions CLE film, January 2013)

Panelist, “Bar Leadership” (MSBA Young Lawyers Leadership Conference, April 2012)

Moderator, Panel on “Ethics of Negotiation” (UnitedHealth Group Legal, Compliance & Regulatory Affairs annual meeting, October 2012)

“Attorney-Client Privilege: Protecting Client Confidences During Investigations” (Minnesota CLE Health Law Institute, June 2012)

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Moderator, Panel on "Best Practices for Handling Offensive Language, Behavior and Attitudes Within the Legal Profession" (Ramsey County Bar Association Diversity Committee, May 2012)

Portraits of Justice: Conversation with (Retired) U.S. District Judge James M. Rosenbaum (U.S. District Court at Hamline University School of Law, April 2012)

Keynote address (National Black Prosecutors Association Annual Conference, July 2011)

Diversity Panel (Leonard, Street and Deinard, May 2011)

"Mapping Your Legal Pathway" Panel (Twin Cities Diversity in Practice, January 2011)

Practice Development Panel (Twin Cities Diversity in Practice, September 2010)

Retrospective at New Deans Workshop (ABA Section of Legal Education, May 2010)

Internal Investigations: The Vanishing Attorney- Client Privilege (Society of Corporate Compliance and Ethics, October 2009)

Portraits of Justice: Conversation with U.S. District Judge Joan E. Ericksen (U.S. District Court at Hamline University School of Law, March 2009)

Attorney-Client Privilege for In-House Counsel (HealthPartners, January 2008)

Representing a Party Under High-Profile Investigation (Minnesota CLE, January 2008)

Whistleblowers under SOX (Minnesota Business Law Institute, May 2007)

Leadership, Ethics and Innovation (Center for Law & Renewal, February 2007)

Employment Claims Under Federal Versus State Law (HCBA January 2007)

Hot Topics in Legal Ethics (National Association of College and University Attorneys, June 2006)

Whistleblowers under SOX (Minnesota CLE Employment Law Institute, May 2006)

Social Science Evidence in Race Discrimination Litigation (Minnesota CLE, November 2005)

The Felon in the Workplace: Criminal Background Checks (ACCA Minnesota Chapter, September 2005)

U.S. Sentencing Guidelines and Post-*Booker* Corporate Compliance (Hamline University School of Law Spring CLE, March 2005)

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Gaining Visibility for Diverse Attorneys (Minority Corporate Counsel Association, November 2004)

Big Case Management (National Association of College and University Attorneys, June 2003)

Voir Dire and Jury Selection (MILE, June 2002)

College Athletics, the NCAA, and Title IX (MILE, September 2001)

Health Information Privacy Under HIPAA (Network of Trial Lawyers, April 2001)

Mental Health and the Law 2001 (Health Ed, March 2001)

Legal Ethics and Elimination of Bias (National Practice Institute, June 2000)

Federal False Claims Act (Network of Trial Law Firms, April 2000)

Electronic Discovery and Litigation Management (ABA Section of Litigation, February 2000)

How E-Mail is Investigated in Litigation (Pricewaterhouse Coopers General Counsel Forum, June, 1999)

National Conference for the Minority Lawyer (American Bar Association, June 1999)

The Intersection of Race and Poverty (SMLRS November 1998)

Advanced Certified ADR & ADR Ethics (Minnesota CLE, July 1998)

Lawyers New to NACUA (National Association of College and University Attorneys, June 1997)

Affirmative Action: Small Business Issues (Minnesota CLE, September 1996); Crime 1996 (MILE, June 1996)

Employment Law Institute (Minnesota CLE, May 1994, May 1995, and May 1996)

Minnesota Judicial College (1992-1996)

Director and Officer Liability: Corporations Facing Allegations (Minnesota CLE, February 1994)

Appellate Practice Institute (Minnesota CLE, December 1992)

Panelist, "Racial Harassment and the First Amendment" (University of Minnesota EOAA Office, October 1991)

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Government Contract Fraud (Minnesota CLE, January 1991)

Minnesota Evidence (Minnesota CLE, November 1990)

Affirmative Action and Set-Aside Programs (MILE Government Liability Institute, May 1989)

“The Future of Affirmative Action,” presentation to Minnesota Women Lawyers, October 26, 1989

Crime 1985 (MILE, March 1985).

“Daniel,” presentation at Law and Justice on Film series, March 2, 1985

“The Presumption of Innocence,” presentation to psychology class at St. Olaf College, December 3, 1984

“The Legal Aspects of Competency Testing,” presentation to the Virginia Education Association Conference on “The Standards of Learning,” November 14, 1980