

Kirsten Schubert

Partner

schubert.kirsten@dorsey.com

Minneapolis – 612.492.6755



Kirsten is a fierce advocate for clients facing high-stakes securities, financial services, healthcare, and commercial litigation.

Kirsten is a partner in the Trial Group of the Minneapolis office of Dorsey & Whitney. A past member of Dorsey's Policy Committee, the Firm's governing board, Kirsten brings both exceptional courtroom experience and Firm-wide leadership to her practice.

Kirsten's commercial litigation practice focuses on shareholder disputes, ERISA litigation, securities class actions, M&A litigation, governance disputes, and other types of litigation in the financial services and healthcare industries.

She has represented companies and boards of directors in shareholder and governance disputes, and in disputes resulting from M&A transactions. She has defended financial services clients in class actions involving the sale of sophisticated investment products, and represents financial advisors, funds, broker dealers, and asset managers in contract disputes, internal investigations, regulatory inquiries, and FINRA arbitration. She represents financial advisors on ESOP civil and Department of Labor (DOL) matters. Kirsten represents ERISA benefit plan sponsors, administrators, and fiduciaries. She has defended class action challenges to 401(k) retirement plans, claims for benefits, and provider-driven mass actions. She represents healthcare companies, including insurers, administrators, service providers, and pharmacy benefit managers (PBMs), in contract and other commercial disputes.

Kirsten's national litigation footprint is extensive. She has appeared in the District of Minnesota, Southern District of New York, Northern District of New York, Western District of Washington, Central District of California, Southern District of Indiana, Northern District of Ohio, and Western District of Wisconsin, as well as before the Second, Seventh, Eighth, and Ninth Circuits. She has also litigated in Delaware Chancery Court, state courts in Minnesota, California, Iowa, Michigan, New York, and Florida, and in

Education

- University of Michigan Law School (J.D., 2006)
 - Associate Editor, *Michigan Telecommunications and Technology Law Review*
- University of Wisconsin - Eau Claire (B.A., 2003)
 - *magna cum laude*

Bar Admissions

- Minnesota

arbitration.

Beyond her litigation practice, Kirsten has been a dedicated leader within Dorsey, serving on the Policy Committee and as Recruiting Chair and Hiring Partner. In these roles, she focused on recruiting and retaining highly skilled lawyers who bring a diverse set of backgrounds, viewpoints, and experiences to the Firm, and actively worked with senior management to strengthen inclusion efforts.

Kirsten also devotes a significant portion of her practice to pro bono work. Kirsten served as an adjunct professor in the University of Minnesota Law School's Binger Center Federal Immigration Litigation Clinic. Alongside a team of Dorsey lawyers, she won release of her intellectually disabled client, Bruce Webster, from federal death row. As a result of the Firm's work on Mr. Webster's case, Kirsten received the 2020 HCBA Excellence Award for Pro Bono Service, and Dorsey was given the ABA's 2020 Exceptional Service Award. She was also named the Immigrant Law Center of Minnesota's 2018 National Advocate of the Year for her work on behalf of a child refugee during the Trump Administration's first travel ban.

Select Experience

Representative Litigation

- Represented one of the country's largest financial services companies in ERISA class action alleging breach of fiduciary duties relating to the inclusion of target date funds in 401(k) plan. Obtained dismissal with prejudice on Motion to Dismiss. (D. Minn.)
- Counsel to one of the country's largest health insurance companies and claims administrators in out-of-network and in-network provider actions seeking payment of health benefit claims (multiple jurisdictions), as well as one of the first class actions alleging mental health parity claims, which was dismissed in full at the pleadings stage. (S.D.N.Y.)
- Represented large research university in high-profile board governance dispute relating to medical school's ownership and control over non-profit health insurer. (Henn. Cty.)
- Representing large bank in OFAC litigation brought by customer alleging novel claims of discrimination based on Iranian heritage. (W.D. Wash.)

Court Admissions

- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Seventh Circuit
- U.S. Court of Appeals for the Eighth Circuit
- U.S. District Court for the District of Minnesota
- Multiple *pro hac vice* admissions, including Delaware Chancery Court, the U.S. District Courts for the Southern District of New York, Central District of California, the Southern District of Indiana, and multiple state courts

Accolades

- Consistently providing pro bono legal assistance to those in need through Dorsey's Pro Bono program

- MSBA, North Star Lawyer, 2012, 2014-2021, 2023
- *Minnesota Super Lawyers*®, "Rising Stars," 2014-2021
- *Minnesota Super Lawyers*® *Women's Edition*, 2020-2021
- *Attorney at Law Magazine*, "Attorney of the Month," 2019

Professional Affiliations

- Received the Hennepin County Bar Association's 2020 Excellence Award for Pro Bono Service
- Received Dorsey's 2020 Scales of Justice Award for outstanding achievement in pro bono service
- Named the Immigrant Law Center of Minnesota's 2018 National Advocate of the Year for her work on behalf of a child refugee during the Trump Administration's first travel ban
- Received Dorsey's 2015 Scales of Justice Award for outstanding achievement in her representation of an intellectually disabled death row inmate
- University of Minnesota Law School, Adjunct Associate Professor (Center for New Americans, Federal Immigration Litigation Clinic)

Select Speaking Engagements

- *Litigation Update*, Advanced Employee Benefits Annual Workshop (2020-2026)
- *Will Your Health Plan Now be a Target? A New Wave of ERISA Litigation Challenges Group Health Plan Fees and Expenses* (November 18, 2024)
- *The Likeable Badass: Science and Strategies for Influence and Leadership in the Modern Workplace* (August 7, 2024)

Insights

January 20, 2022

Six Interview Tips for First-Year Law Students

September 21, 2020

"The Best You Could Do': Summer Associates Rate Their Unusual, COVID-Influenced Experiences," The American Lawyer

July 2020

Dorsey Partner Kirsten Schubert Gives Us an Introduction to This Bustling Legal Market: Minnesota

December 2019

Kirsten Schubert: Diversity—Fundamental to Legal Excellence

June 20, 2019

Dorsey Partner Steve Wells Discusses Judge Vacating Federal Death Sentence

