

## Chris Messerly of Robins, Kaplan, Miller & Ciresi L.L.P.

By Paul Braverman

The office building housing Robins, Kaplan, Miller & Ciresi L.L.P. rises in downtown Minneapolis, hard by the Mississippi River. Many lawyers at the firm, Chris Messerly among them, cross the river every day, driving to work on Route 35. Or at least they did until Aug. 2, 2007, when the bridge spanning the Mississippi collapsed, killing 13 people and injuring 145.

Messerly happened to be out of town that day, but the collapse hit awfully close to home. Since then, he has devoted an estimated 65 percent of his time to representing victims of the collapse, including the family of a friend who was killed in the accident. "This was personal," Messerly told us Thursday.

His efforts paid off Monday when the engineering company URS Corporation announced an agreement to pay \$52 million to settle the bridge collapse victims' claims. That settlement, in addition to previous settlements with the state of Minnesota and other contractors, brings the plaintiffs' total recovery to more than \$100 million. And that makes Messerly, a life-long Minnesotan with a voice that sounds like a parody of the movie Fargo, our Litigator of the Week.

Messerly is modest enough to point out that we should also acknowledge the rest of the Robins Kaplan team, as well as the entire consortium of 17 firms that worked on the plaintiffs' case. According to Messerly, at least 130 people at Robins Kaplan have devoted more than 20,000 hours to the bridge collapse victims, racking up more than \$2 million in costs.

We asked Messerly whether there'd been any pressure along the way to scale back Robins Kaplan's commitment to the case. "I'm embarrassed to say that I thought there would be," Messerly said. "I didn't have enough faith in my partners. Not one person ever said one word like that." (The American Lawyer detailed Robins Kaplan's pro bono work on the bridge case as part of the magazine's July pro bono package.)



Messerly told us he believes the threat of punitive damages drove this week's settlement with URS, in which the engineering company agreed to pay millions more than the plaintiffs previously requested. In Minnesota, plaintiffs have to win judicial approval to claim punitive damages.

A hearing on punitives against URS took place a few weeks ago before Hennepin County district court judge Deborah Hedlund, and, according to Messerly, didn't go well for URS and its lawyers from Dorsey & Whitney.

"I don't think that it's any coincidence that the settlement was hammered out at an all-day conference on a Saturday, and the judge was scheduled to issue her ruling the next week," Messerly said.

The National Law Journal asked Messerly in an interview this week if Robins Kaplan would be able to recover its costs, now that it's obtained such great results for bridge collapse victims. "That remains to be seen," Messerly said. "If we don't, that's okay. We made that commitment up front."