

Matthew J. Schaap

Shareholder

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**Dougherty
Molenda** Attorneys
Solfest, Hills & Bauer P.A.

Matthew Schaap is a shareholder with the firm. He regularly assists clients with a variety of personal and business litigation matters.

Matthew began his legal career as a Judicial Law Clerk to Elizabeth Hayden, a Minnesota District Court Judge. As a Law Clerk, he played an active supporting role in the process of judicial decision-making. He provided judges with the legal research, writing and analysis that they used to decide the legal questions and issues before them. As a Law Clerk, Matthew also assisted in numerous jury trials in both the criminal and civil context. This practical experience gave him first-hand exposure to winning trial techniques as he observed highly-effective trial lawyers both in the courtroom and also in chambers.

Matthew joined Dougherty Molenda in 2004 after completing his judicial clerkship. At Dougherty Molenda, Matthew focuses on litigation and trial practice. Matthew's primary goal in any litigation is to serve as a zealous advocate for his clients by thoroughly researching all issues (both legal and technical) that are important to presenting the case in court. However, Matthew also focuses on helping clients to understand the legal process so that they can actively participate in the case and make informed decisions about its resolution. To accomplish this goal, Matthew has developed a variety of practical guides to assist clients in understanding critical aspects of the legal process, such as discovery. Like all litigation attorneys at Dougherty Molenda, Matthew provides his clients with early case analysis designed to 1) evaluate the risks of litigation and 2) develop successful trial strategies that maximize the likelihood of favorable trial or settlement outcomes.

At times, litigation involves an appeal to a higher court. During law school, Matthew's appellate brief was selected by the Legal Writing Department faculty as the "Best Appellate Brief in the First Year Law School Class." As an attorney, Matthew has continued his commitment to excellence in legal writing: He has authored or co-written numerous appellate briefs that led to affirmance of favorable outcomes for clients. Matthew has also



AREAS OF PRACTICE

Appeals
Litigation
Civil & Commercial Litigation
Real Estate Litigation
Employment Litigation
Probate Litigation

HONORS AND AWARDS

Rising Stars List, 2007 - 2016
Top 40 Under 40, 2013
Lead Counsel Rated in Civil Litigation

BAR ADMISSIONS

Minnesota
Wisconsin
U.S. District Court, Minnesota
U.S. District Court, W.D. Wisconsin
U.S. Court of Appeals, Federal Circuit
U.S. Court of Federal Claims

Matthew J. Schaap

Continued

presented oral arguments in appeals before the Minnesota Court of Appeals and the Federal Circuit Court of Appeals (Washington, D.C.), receiving favorable decisions of affirmance from both courts.

In addition to his civil jury trial and appellate experience, Matthew has successfully represented the firm's clients at numerous mediations, arbitrations, court trials and motion hearings. He has been recognized in Minnesota Law and Politics as a top young attorney and was named to the Minnesota *Rising Stars*® List from 2007 to 2016.

Education

- Hamline University School of Law, J.D.
 - Law Review: *Hamline Law Review*, Managing Editor
 - *Dean's List*
 - CALI Award: Legal Research and Writing
 - Department Award: *Best Appellate Brief in First Year Law School Class*
- Calvin College, B.A., English

Clerkship

- Hon. Elizabeth A. Hayden, Minnesota's Seventh Judicial District, Judicial Law Clerk

Publications

- From Workaholism to Work-Life Balance: Change Is Within Reach, *Law Practice Magazine* (Nov./Dec. 2014)
- Minnesota Litigation Checklists §§ 1-1 et seq. , Matthew Bender & Company, Inc., 2007

Representative Cases

- *St. Paul Park Ref. Co. LLC v. Domeier*, 950 N.W.2d 547 (Minn. 2020) (clarifying tax payment requirement in Minnesota adverse possession law).
- *Cambria Co. LLC v. M&M Creative Laminants Inc.*, A18-1978, 2019 WL 3543602 (Minn. Ct. App. Aug. 5, 2019) (certified questions on application of Minnesota Franchise Act).
- *Sames v. Scott County*, A18-0753, 2019 WL 1510948 (Minn. Ct. App. Apr. 8, 2019) (defamation per se claims).
- *Ride Auto Co. v. Ibanez*, 2015 WL 4507991 (Minn. Ct. App. July 27, 2015) (default judgment).
- *Sharp v. Hayloft Prop. Mgmt. Co.*, 2012 Minn. App. Unpub. LEXIS 13 (Minn. App. 2012) (unemployment benefits).
- *Old Reliable Wholesale, Inc. v. Cornell Corp.*, 2011 U.S. App. LEXIS 5139 (Fed. Cir. 2011) (patent litigation attorneys' fees).

Matthew J. Schaap

Continued

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- *Estate of Anthony Fox v. Fox Compactors, Inc. and Dennis W. Buhl*, (Arbitration) (Arbitration 2010) (intellectual property breach of contract).
 - *Michael L. O'Brien v. Friends of St. Croix Preparatory Academy* (Washington County, Minnesota 2010) (summary judgment and attorneys' fees).
 - *George O. Ensminger et al. v. Timberland Mortgage Services, Inc. et al.*, 2010 Minn. App. Unpub. LEXIS 341 (Minn. App. 2010) (summary judgment in class action mortgage origination litigation).
 - *Old Reliable Wholesale, Inc. v. Cornell Corp.*, 2009 U.S. App. LEXIS 26985 (Fed. Cir. 2009) (summary judgment in patent litigation).
 - *Instant Testing Company, et. al. v. Community Security Bank, et. al.*, 715 N.W.2d 124 (Minn. App. 2006) (Minn. App. 2006).

Classes/Seminars

- How to Get Your Social Media, Email and Text Evidence Admitted (and Keep Theirs Out), NBI (2018).
- Business Contract Disputes: Start to Finish, NBI National Webinar (2015)
- Fundamentals of Landlord Tenant Law: Sterling Educational Services (2015)
- Tablet Computing and Your Practice, Richard T. Oakes American Inn of Court

Honors and Awards

- Minnesota Rising Stars List 2007 - 2016

Professional Associations and Memberships

- Minnesota State Bar Association, Member
- Dakota County Bar Association, Member
- Member of Governing Council, Civil Litigation Section of the Minnesota State Bar Association

Community Involvement

- Board Secretary, Community Dental Care
 - Community Dental Care is a Minnesota non-profit consisting of 26 dentists who serve patients from clinics in St. Paul and Maplewood, Minnesota.
 - Community Dental Care is a recipient of the Charities Review Council "Meets Standards" seal based on satisfaction of 27 standards of accountability.
- Rotary Club of Rosemount, Minnesota (Past President)

Matthew J. Schaap

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- Rotary International (Past Assistant District Governor)
 - Apple Valley Chamber of Commerce (Past Chair)