

Kirsten Schubert

Partner

schubert.kirsten@dorsey.com

Minneapolis – 612.492.6755



Kirsten's clients trust that she will be a fierce advocate in their most complex and important securities, financial services, and healthcare litigation.

Kirsten is a partner in the Trial Group of the Minneapolis office of Dorsey & Whitney and is a past member of Dorsey's Policy Committee, the firm's governing board. Kirsten represents corporate and individual clients in all aspects of commercial litigation, focusing primarily on securities, financial services, and health care litigation, including securities class actions, shareholder disputes, ERISA litigation, FINRA actions, advisor fee litigation, internal investigations, and other types of fiduciary and contract disputes.

Kirsten has defended financial services clients in class actions relating to the sale of municipal derivatives, reverse convertible notes, and other sophisticated securities products. She has significant experience representing broker dealers and asset managers in internal investigations, regulatory inquiries, and FINRA arbitration, and has represented multiple companies and boards of directors in shareholder disputes. Kirsten also represents ERISA benefit plan sponsors, administrators, and fiduciaries in both the retirement and health plan spaces. She has defended class action challenges to retirement plans, including stock drop, proprietary fund, and excessive fee cases, health plan claims for benefits, and provider-driven mass actions.

Kirsten has appeared in matters pending in the District of Minnesota, Southern District of New York, Central District of California, Southern District of Indiana, and Western District of Wisconsin; the Second, Seventh, Eighth, and Ninth Circuits; Delaware Chancery Court; and state courts in Minnesota, California, Iowa, Michigan, and Florida, as well as in FINRA arbitration.

Kirsten served as the representative for Dorsey's newer partners on the Policy Committee and served as Recruiting Chair and Hiring Partner for the firm. In her leadership roles, Kirsten focused on recruiting and retaining highly skilled lawyers who

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

bring a diverse set of backgrounds, viewpoints, and experiences to the Firm. Kirsten actively worked with senior management to improve inclusion efforts to recruit and retain excellent attorneys.

Kirsten also devotes a significant portion of her practice to pro bono work. Alongside a team of Dorsey lawyers, she recently 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

- Represented large public company and other defendants in 10b-5 securities class action alleging false statements in connection with an acquisition. Obtained complete dismissal at the pleadings stage. (D. Minn.)
- Counsel for 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 for large wealth management company in class action alleging breach of contract through the sale of reverse convertible notes. Motion for summary judgment was granted in full, and Plaintiffs' motion for class certification was denied as moot. Affirmed on appeal. (D. Minn.)
- Counsel to one of the country's largest health insurance companies and claims administrators in multiple out-of-network provider mass actions seeking payment of health benefit claims and equitable relief under ERISA (California state and federal courts), as well one of the first class actions alleging mental health parity claims, which was dismissed in full at the pleadings stage (S.D.N.Y.).

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

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)

Charitable & Civic Involvement

- Member, Dorsey & Whitney Minneapolis Recruiting Committee

Accolades

- Consistently providing pro bono legal assistance to those in need through Dorsey's Pro Bono program
- *Attorney at Law Magazine*, "Attorney of the Month," 2019
- *Minnesota Super Lawyers® Women's Edition*, 2020-2021
- *Minnesota Super Lawyers®*, "Rising Stars," 2014-2021
- MSBA, North Star Lawyer, 2012, 2014-2021, 2023

Select Presentations

- Debriefing: The Supreme Court Arguments on Health Care Reform (April 2012)
- Retirement Plan Litigation: Lessons Learned and Challenges Ahead, Midwest Pension Conference (March 2011). See presentation material [here](#).

Insights

June 9, 2023

The Fundamentals of Shareholder Litigation

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