



## Brian T. Benkstein

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Brian is an employment and labor law attorney who focuses his practice exclusively on management-side representation. Brian represents clients involving matters that stem from employment and labor laws and he defends claims filed against employers with state and federal administrative agencies and in the Minnesota state and federal courts.

Brian is an experienced, hands-on employment litigator. He has litigated multiple cases to verdict. He argues motions in state and federal court and he has made numerous appearances at the Minnesota Court of Appeals.

Brian combines his legal training with eight years of management experience in the health care industry. Prior to joining the Felhaber firm in Minneapolis, Brian worked for a local health care corporation that operated nursing homes in the Twin City Metropolitan area. Brian served in a variety of management positions which included six years as a licensed nursing home administrator.

Brian rounds out his litigation practice by providing employment law and business law advice and counsel to his clients on employment matters and general business issues ranging from employee performance issues, to legal compliance, to overall business strategy. Brian works with his clients in responding to everyday problems and, most importantly, to develop legal and practical solutions to avoid such problems.

### Practice Areas

- [Litigation](#) – Employment Law Focus
- [Labor and Employment Law Counseling](#)
  - Exclusive to Management-Side Representation

### Representative Cases

- *Karnie-Tauh v. Frazier*, 757 N.W.2d 714 (Minn.App. 2008)
- *Greeley v. Fairview Health Services*, 479 F.3d 612 (8th Cir. 2007)
- *Dahlman v. HealthEast*, 2006 WL 2256844 (Minn.App. 2006)

### Education

- J.D., William Mitchell College of Law, *magna cum laude*, 2003
- B.S., University of Wisconsin at Eau Claire, *magna cum laude*, 1994

### Bar Admission

- Minnesota State Bar
- Minnesota Supreme Court
- U.S. District Court of Minnesota
- U.S. Eighth Circuit Court of Appeals

### Professional Certifications, Awards and Designations

- Nominated by Minnesota [Super Lawyers®](#) as a Rising Star, *Minnesota Law & Politics*, 2007, 2008, 2009

## **Professional Activities, Memberships and Accomplishments**

- Hennepin County Bar Association – Labor and Employment Section, Member

## **Legal Publications**

- Author, "[Karma, Dogma, Dilemma; Religious Accommodation at Work](#)," *Minnesota Bench & Bar Magazine* (Vol. 66, No. 6, July 2009)

## **Speaking Engagements**

- Regular Lecturer on Employment Law and Litigation topics
- Presenter at Minnesota state-wide conventions for SHRM (2008-2009); Care Providers of MN (2009); Aging Services of Minnesota (2010)

## **Other Accomplishments/Activities**

- Third base coach - Chanhassen Mets 7-year-old team – League Champion 2008
- Coach, Chanhassen Little League
- Church volunteer

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