



# Michael T. Burke

Partner

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As a member of the firm's Litigation Department, Michael represents clients through all stages of business and commercial disputes, whether that be pre-dispute resolution, through trial or on an appeal.

Michael has experience with a broad array of practice areas, including claims involving product liability, employment disputes, privacy and data security, insurance coverage, construction and professional liability. He provides clients with dedicated and creative representation in order to resolve disputes successfully and in a cost-effective manner. He takes pride in being able to deliver clients with prompt and practical solutions when problems arise so that they can make well-informed business decisions.

## Services

- Litigation
- Manufacturing
- Privacy & Data Security
- Product Liability & Mass Torts
- Health Law
- Labor & Employment
- Medical Technology

## Representative Matters

- Successfully defeated a motion for temporary restraining order and preliminary injunction in a high-stakes battle over e-commerce technology with claims involving breaches of non-competition and non-solicitation provisions, commercial trade libel, defamation, tortious interference with contractual relations, misappropriation of trade secrets and contributory trademark infringement.
- Secured dismissal of civil rights claims brought pursuant to 42 U.S.C. §§ 1981 and 1983.
- Obtained summary judgment on claims alleging invasion of privacy involving documents allegedly found on a business's website.
- Obtained summary judgment on claims alleging that the general contractor's duty of care extended beyond the construction zone.
- Successfully defeated claims for breach of easement, trespass and statutory violations of Wis. Stat. §§ 182.017(5) and 26.09.
- Obtained summary judgment for a regional hospital on claims alleging retaliation under the Family and Medical Leave Act and Minnesota's Whistleblower Act.

- Obtained summary judgment on a more than quarter-million dollar claim for contribution and indemnity pertaining to a damaged wind turbine.
- Obtained over \$100,000 judgment, including costs and attorneys' fees, for a commercial building owner in a breach of contract claim.

## Before Fox Rothschild

Michael was previously an attorney at a boutique Minneapolis firm where he gained significant litigation experience. Before becoming a practicing attorney, Michael served as a judicial law clerk in the Minnesota District Court, and also worked under a Federal Magistrate at the U.S. District Court for the District of Minnesota. These clerkship experiences provided Michael with the perspective of seeing how decisions are made by judges, and allowed him to observe what makes for a successful position versus what pitfalls to avoid.

## Bar Admissions

- Minnesota
- Wisconsin
- Iowa

## Court Admissions

- U.S. Court of Appeals, Eighth Circuit
- U.S. District Court, District of Minnesota
- U.S. District Court, Eastern District of Wisconsin
- U.S. District Court, Western District of Wisconsin

## Education

- University of Minnesota Law School (J.D., *Dean's List*, 2015)
- University of Minnesota (B.A., *Dean's List*, 2012)

## Memberships

- PGA Tour's 3M Open - Pioneer Club (2022– present)
- Minnesota State Bar Association
  - Court Rules and Administration Committee (2021 – present)
- Federal Bar Association (2021 – present)
- Minnesota Defense Lawyers Association
  - New Lawyers Committee, Co-Chair (2019 – 2021)

## Honors & Awards

- Selected to the list of "Super Lawyers Rising Stars" for Business Litigation in Minnesota by *Super Lawyers* (2020- 2025)
- Selected to the "Ones to Watch" list for Commercial Litigation in Minneapolis by *Best Lawyers* (2026)

## Publications

May 24, 2023

**2023 Minnesota Legislative Session Employment Law Updates: What Employers Need to Know Now**

December 2022

**The New World of NIL in Minnesota**

*Bench + Bar Minnesota*