



BRIAN N. NIEMCZYK ATTORNEY AT LAW

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OVERVIEW

Brian practices primarily with the firm's litigation group and focuses on commercial, landlord-tenant, real estate, and employment litigation. He also draws upon his litigation experience to counsel his clients on methods of avoiding litigation in the first place.

Brian represents a wide range of businesses and individuals involved in a variety of disputes, including disagreements over partnership, real estate, and asset purchase agreements, leases, mortgages, mechanic's liens, and condominium disclosure statements, among many other issues.

In addition, Brian represents numerous individuals and small businesses in connection with employment disputes, including illegal retaliation and discrimination claims and disagreements concerning employment contracts and non-compete agreements.

EXPERIENCE

- Represented a homeowner seeking to evict former owner still occupying the premises, which resulted in a favorable summary judgment ruling and affirmation by the Minnesota Court of Appeals
- Represented the owner of Minnesota used car dealership in defense of significant allegations of wrongdoing by the owner's business partners, which resulted in a favorable settlement
- Represented the purchaser of lakeshore property in connection with a claim against the former owner for non-disclosure of material defects in the property, which resulted in a favorable settlement
- Represented home buyer in action to enforce purchase agreement, resulting in an order for specific performance and recovery of legal fees
- Defended employer against claims of whistleblower retaliation from a former employee, resulting in a favorable settlement
- Represented commercial property owner in action to invalidate a foreclosure by advertisement for failure to follow statutory procedure, resulting in a favorable settlement

COMMUNITY

PRACTICE AREA

Appeals & Legal Writing
Business Litigation
Employment & Labor Law
Landlord Law
Real Estate

ADMISSIONS

Minnesota State Courts
U.S. District Court for the District of Minnesota

EDUCATION

Mitchell Hamline School of Law, J.D., summa cum laude, 2006
Hamline University College of Liberal Arts, B.A., summa cum laude, 2003

- Speak regularly before the Minnesota Multi Housing Association, an industry group of landlords, and serves on that organization's professional education board
- Served as Symposium Editor of the Hamline Law Review and published an article entitled "Baker v. Nelson Revisited: Is Same-Sex Marriage Coming to Minnesota?" 28 Hamline L. Rev. 425 (2005)
- Volunteered at the Minnesota Justice Foundation, serving as a volunteer in the Public Defender's Office for the First Judicial District

HONORS & AWARDS

- *The Best Lawyers in America*® – Employment Law – Individuals, 2023-2024
- *Minnesota Monthly* Top Lawyers in Minnesota – Labor and Employment Law, 2023
- *Minnesota Super Lawyers Rising Star*® – 2012-2021
- Received the Minnesota State Bar Association Labor and Employment Law Outstanding Achievement Award in 2006.
- Received the Constance Bakken Fellowship Award, 2005-2006