

**YOST & BAILL**  
**ATTORNEYS AT LAW**

**Steven L. Theesfeld**

Partner

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Steven L. Theesfeld's practice is devoted to appellate litigation and complex subrogation losses.

In his appellate practice, Steve has handled over 50 cases in various state and federal appellate courts.

In his civil litigation practice, Steve has tried and won several jury and court cases. In addition to handling subrogation cases in Minnesota and Wisconsin, Steve is licensed to practice in North Dakota, South Dakota and Nebraska, and also litigates cases across the United States. Steve offers Yost & Baill's clients a frank and intelligent assessment of subrogation claims and appeals in the areas of: fire loss, product defects, insurance coverage, water loss, negligent construction and other complex loss.

Steve joined Yost & Baill as an appellate and litigation associate. Today, he continues his appellate and subrogation litigation practice as a partner managing Yost & Baill's upper Midwest practice.

Steve has been a member of the National Association of Subrogation Professionals (NASP) since its inception, presented seminars at local and national NASP conferences, written several articles for the organization, and has assisted in the re-writing of the Certified Subrogation Recovery Specialists (CSRP) guidebook. He currently serves on NASP's Appellate Amicus Committee.



**Education**

J.D., University of Wisconsin

B.B.A., (cum laude) University of Wisconsin

**Admissions to Practice**

Minnesota State and Federal Courts

Wisconsin State and Federal Courts

North Dakota State and Federal Courts

South Dakota State and Federal Courts

Nebraska State and Federal Courts

US 7th Circuit Court of Appeals

US 8th Circuit Court of Appeals

United States Supreme Court

**Honors & Awards**

Current member, NASP Amicus Committee

**Professional Associations & Memberships**

U.S. Supreme Court Bar

U.S. Eighth Circuit Court of Appeals Bar

U.S. Seventh Circuit Court of Appeals Bar

Minnesota State Bar

Minnesota Federal Bar

Wisconsin State Bar

Wisconsin Federal Bar

North Dakota State Bar

North Dakota Federal Bar

South Dakota State Bar

South Dakota Federal Bar

Nebraska State Bar

Nebraska Federal Bar  
Hennepin County Bar Association  
Member, South Dakota Chapter of DRI  
National Association of Subrogation  
Professionals

## **Presentations**

2017

NASP Annual Conference - Austin, TX.  
“Preparing Your Expert for Depositions and  
Handling Difficult Expert Situations”

NASP Subrogation Litigation: Skills and  
Management Conference - Scottsdale, AZ.  
“Litigating CGL Exclusions in Construction  
Defect Cases: Arguments and Strategies for  
Establishing Coverage”

2015

NASP Annual Conference – Reno, NV. “The  
Evolution of ‘Your Work’ Exclusion and  
Strategies for Keeping Your Subrogation Claim  
Out of Its Grasp,” co-presenter with Teirney  
Christenson

NASP Annual Conference – Reno, NV. “NASP  
Amicus Committee Presents: Briefly Stated: 10  
Steps for Better Written Arguments”

NASP Annual Conference – Reno, NV. “NASP  
Amicus and Legislative Affairs Committee  
Update: The Mother Lode”

2014

NASP Annual Conference – Orlando, FL. “To  
Appeal or Not To Appeal...That is the  
Question!”

NASP Annual Conference – Orlando, FL.  
“Making Sense of the ‘Sutton Rule,’” co-  
presenter with Robert Gaul, Steven Smith, and  
Alyssa Endelman

NASP Annual Conference – Orlando, FL.  
“Legislative Affairs/Amicus Committee  
Update,” co-presenter with Kammy Poff, Joe  
Willis, John Kolb, Laura Schmidt, and Hobie  
Hind

Subrogation Litigation: Skills and Management  
Conference - Amelia Island, FL. “Top Ten Tips  
for Better Oral Arguments,” co-presenter with  
Judge R. Rosenberg

Iowa Symposium, West Des Moines, IA. “How  
the Amendment of FRCP 26 Impacts Expert  
Reports”

Iowa Symposium, West Des Moines, IA. “The  
Economic Loss Doctrine and Subrogation”

2013

NASP Annual Conference - San Diego, CA.  
“How to Write Demand Letters and Negotiate  
To Get Results,” co-presenter with Jenai  
Rayford

2012

Webinar presentation for NASP, “Beds are  
Burning: The MN Supreme Court's New  
Permission to Subrogate Against Negligent  
Tenants”

2011

NASP Annual Conference – Orlando, FL.  
“Using Gross Negligence or Willful and Wanton  
Negligence to Defend against Contractual  
Exculpatory Clauses”

2008

NASP Annual Conference – Hollywood, FL.  
“Increasing Subrogation Recoveries Through  
Persuasive Writing”

2006

NASP Midwest Conference. “ERISA and Health  
Insurance Subrogation in the Age of Knudson”

2004  
NASP Annual Conference – Atlanta, GA.  
“Efficient Subrogation through Six Sigma  
Methodology”

2003  
NASP Annual Conference – Reno, NV.  
“Governmental Immunity and Subrogation”

2001  
NASP Annual Conference - Reno, NV.  
“Subrogation under Standard AIA Contracts”

2000  
NASP Annual Conference – Orlando, FL.  
“Getting around Waivers of Subrogation”

2000 MLBA State Conference. “Tips and  
Requirements for Employee Handbooks”

NASP Minnesota Chapter Meeting. “Contractual  
Limitations to Subrogation”

NASP Minnesota Chapter Meeting.  
“Subrogating against Government Entities”

Metropolitan University. “Employment Law  
101”

### **Publications**

“The Agelessness of Abraham Lincoln’s Advice  
to Attorneys,” *Subrogator*, Fall 2015

“Bringing Subrogation Claims,” Chapter 160 in  
the omnibus national insurance treatise entitled  
“New Appleman on Insurance Law Library  
Edition” published by LexisNexis in Fall 2015.  
Co-written with Marie Cheung-Truslow

“The Beginning of a Golden Age of Subrogation  
in Minnesota?”

"Mastering the Made Whole Rule," 2002,  
*Subrogator*

### **Significant Reported Decisions**

*Melrose Gates, LLC v. Chor Moua, et al.* (Minn.  
February 17, 2016)

*Gage v. HSM Elec. Prot. Services, Inc.*, 655 F.3d  
821 (8th Cir. 2011)

*Pope v. Elabo GmbH*, 588 F. Supp. 2d 1008 (D.  
Minn. 2008)

*Stollmeyer v. May*, 580 N.W.2d 58 (Minn. Ct.  
App. 1998)

*Time Ins. Co., v. Opus Corp*, 519 N.W.2d 470  
(Minn. Ct. App. 1994)

*Progressive Ins. Co., v. Rivero*, 509 N.W.2d 378  
(Minn. 1993)

*Garvis v. Employers Mut. Cas. Co.*, 497 N.W.2d  
254  
(Minn. 1993)