



## Bryant D. Tchida

Attorney

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**PRACTICE AREAS:** Litigation, Business Law, Financial Services

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Bryant brings two decades of high-stakes trial and appellate courtroom experience to bear in protecting his clients' products, practices, and competitive interests.

Bryant has tried and argued cases in state and federal courts throughout the Midwest. He concentrates his practice on complex business disputes in a variety of settings, including both prosecuting and defending lawsuits seeking emergency injunctive relief; non-compete and restrictive covenant enforcement; agribusiness disputes; shareholder and ownership disputes; IP and trade secret claims; class actions; and corporate and government investigations.

Bryant's understanding of the complex challenges faced by businesses today and straightforward approach define his litigation practice. Clients value Bryant's personal approach, professionalism, and focus on the big picture business issues that matter most.

### Experience

#### Agribusiness Litigation

- Most recently, Bryant secured a courtroom victory by defeating the adverse party's request for a preliminary injunction, which sought to preclude the firm's client from moving forward on an agribusiness project. The trial judge denied the preliminary injunction motion in all respects and ruled from the bench that the plaintiff was not likely to succeed on the merits of its claims. [Click here to view press coverage of this matter.](#)
- Served as lead trial counsel and obtained a jury verdict in favor of plaintiffs establishing existence of a decade-long farming partnership, entitling plaintiffs to a full accounting and a windup of partnership affairs.
- Served as lead trial counsel in multimillion-dollar fraudulent transfer litigation involving efforts by defendants to hide farming and agricultural assets from creditors.
- Represented numerous farmers, businesses, and lenders in a wide range of other agribusiness disputes, including shareholder and partnership disputes, creditors' rights, lender liability,

environmental, and theft of livestock and crops.

## Partnership and Shareholder Litigation

- Works with and serves on special litigation committees in connection with litigated shareholder disputes.
- Obtained a judgment following trial unwinding wrongful corporate actions taken against minority shareholder in violation of Minn. Stat. § 302A.751 and majority shareholder's fiduciary duties.
- Obtained a judgment following trial in favor of defendant in connection with a farm partnership windup dispute.
- Represented multiple clients in shareholder/breach of fiduciary duty action seeking in excess of \$20 million in damages. The case was litigated in three states and in several forums – involving multiple corporations, limited liability companies, and partnerships – and resulted in a favorable outcome for clients.
- Successfully handled several other litigated matters involving shareholder disputes, breach of fiduciary duty claims, and challenges to corporate mergers and acquisitions.

## Native American Law and Tribal Governance

Bryant has extensive experience representing tribal governments, tribally owned business arms, and businesses engaged in business transactions and litigation with tribes. He assists clients with legal needs in the following Native American Law and Tribal Governance areas:

- Tribal governance
  - Energy and telecommunications
  - Environmental law
  - Construction
  - Government contracts
  - Private contracting
  - Code and policy development
  - Tribal finance/lending and borrowing
  - Employment and independent contractors
  - Joint ventures
  - Arbitration
  - Appellate litigation
  - Commercial litigation
  - Advising on tribal jurisdiction and environmental law issues within the reservation's boundaries
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- Advising lenders and businesses in business transactions and litigation with tribes

## Unfair Competition and Non-Compete Litigation

- Obtained a multimillion-dollar jury verdict in favor of plaintiff in connection with tortious interference and unfair competition claims.
- Obtained favorable settlement for plaintiff in non-compete litigation after shareholder attempted to raid entire division of client's business.
- Successfully handled several other litigated matters involving unfair competition and non-compete claims.

## Consumer and Class Action Litigation

- Defended a client in an odor nuisance class action.
- Represented a defendant accused of violating the Telephone Consumer Protection Act (TCPA) and presented an oral argument at both the district court and appellate level (*Zean v. Fairview Health Services*, 858 F.3d 520 (8th Cir. 2017)). On appeal, the U.S. Court of Appeals for the Eighth Circuit affirmed the district court's dismissal of the class action complaint.
- Represented clients in class actions arising from corporate mergers and acquisitions.
- Defended numerous other claims under federal and state consumer protection laws, including the TCPA, Truth in Lending Act (TILA), Fair Debt Collection Practices Act (FDCPA), Fair Credit Reporting Act (FCRA), Fair and Accurate Credit Transactions Act of 2003 (FACTA), and Minnesota Consumer Fraud Act.

## Financial Services and Creditors' Rights Litigation

- Tried a securities fraud lawsuit to verdict in six-week federal jury trial.
- Represented a mortgage loan servicer in connection with an appeal to the U.S. Court of Appeals for the Eighth Circuit. Presented oral argument at the appellate level and obtained reversal of a district court order finding that loan servicer was liable under the Real Estate Settlement Practices Act (RESPA).
- Successfully represented banking clients in numerous litigated matters.
- Obtained summary judgment for defendants on securities fraud and insider trading claims brought by the Securities and Exchange Commission.

## Education

Hamline University School of Law, J.D.; *magna cum laude*

University of South Dakota, B.A.

## **Classes / Seminars Taught**

“Preparing to Defend a Fact Deposition,” Minnesota Continuing Legal Education (September 2018)

“Consequential, Special and Incidental Damages,” Minnesota Continuing Legal Education (June 2015)

“Update on Attorney-Client Privilege: Pitfalls and Practice Pointers for In-House Counsel and Business Lawyers,” 2014 Business Law Institute (May 2014)

## **Admissions**

Minnesota

South Dakota

U.S. District Court for the Eastern District of Michigan

U.S. District Court for the District of Minnesota

U.S. District Court for the District of South Dakota

U.S. District Court for the Eastern District of Wisconsin

U.S. Court of Appeals for the Seventh Circuit

U.S. Court of Appeals for the Eighth Circuit

## **Honors & Recognitions**

*The Best Lawyers in America* (2023)

*Minnesota Super Lawyers* (2020-present)

*Minnesota Rising Stars* (2008-2009, 2011-2014)

Recognized as a Local Litigation Star and a Future Star by *Benchmark Litigation*

Martindale-Hubbell AV Preeminent®

## News

Moss & Barnett Congratulates Our Lawyers Selected for Inclusion in *The Best Lawyers in America* and *Best Lawyers: Ones to Watch* for 2024

08.17.2023

Moss & Barnett Congratulates Our 2023 Minnesota *Super Lawyers* and *Rising Stars*

07.17.2023

Moss & Barnett Congratulates Our Lawyers Selected for Inclusion in *The Best Lawyers in America*, *Best Lawyers: Ones to Watch*, and *Best Lawyers "Lawyers of the Year"* for 2023

*The Best Lawyers in America*, 08.18.2022

Moss & Barnett Congratulates Our 2022 Minnesota *Super Lawyers* and *Rising Stars*

07.18.2022

Moss & Barnett Congratulates Our 2021 Minnesota *Super Lawyers* and *Rising Stars*

07.20.2021

Court Operations Update

*Moss & Barnett Advocate (Spring 2021 edition)*, 05.26.2021

Moss & Barnett Congratulates Our Lawyers Listed to Minnesota "Super Lawyers" and "Rising Stars" Lists for 2020

07.20.2020

Bryant D. Tchida Joins Moss & Barnett

05.13.2019

## Speaking Engagements

Deposition Techniques that Deliver Results

Minnesota CLE 2020 Civil Litigator Seminar Series I Raising Your Deposition Game, MN CLE Conference Center, 600 Nicollet Mall, Suite 370, Minneapolis, MN 55402, 01.28.2020

## Publications

Attention Businesses: FinCEN Wants Your Information

*Moss & Barnett Advocate (Fall 2023/Winter 2024 edition)*, 02.26.2024

Consequential, Special and Incidental Damages

*Business Disputes: Claims and Remedies (2d ed.)*, 2015

## **Professional Associations**

Minnesota State Bar Association

Former co-chair, Minnesota State Bar Association – Consumer Litigation Section

Hennepin County Bar Association

## **Community Involvement**

8U Girls Head Hockey Coach, Chaska Chanhassen Hockey Association

