

## Eric L. Maassen

### Partner

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Eric L. Maassen is a partner in the Litigation Department of Foley & Lardner LLP. Eric focuses on the areas of fiduciary litigation and environmental litigation. He also has experience in the areas of real estate litigation and life, health and property, and casualty insurance and reinsurance litigation, and has a deep background in a broad spectrum of commercial disputes.

In the area of fiduciary litigation, Eric represents clients in contested estate and trust matters, including disputes involving the validity and construction of estate planning documents, claims of breaches of a fiduciary's duties to beneficiaries, will contests, and other claims against and on behalf of estate representatives, trustees, and beneficiaries.

In the area of environmental litigation, Eric has litigated contribution and cost recovery suits, defended groundwater contamination suits by private landowners, defended against challenges to air and water permits, represented a client in a natural resource damages case, litigated insurance coverage for environmental liabilities, and litigated claims for professional liability relating to advice about regulatory rules. Eric also has represented clients in private landowner trespass and nuisance actions and stray voltage suits.

Eric has represented clients in a variety of industries, including electric generation and distribution, consumer kitchen products, the pipeline industry, electric motor manufacturing, metal recycling, automated assembly systems, heavy vehicles, paper manufacturing and distribution, medical diagnostics, chemical process modeling software development, and the airline industry.

Eric also has handled complex business disputes in the fields of sales of goods, technology licensing and development agreements, product distribution, franchising, stock and asset purchase agreements, real estate, products liability, and consumer protection laws. In the insurance area, Eric has extensive experience with reinsurance relationships involving, among others, non-standard automobile and workers compensation business. He also has significant experience with disputes involving CGL and other types of primary business

insurance.

Before joining Foley, Eric served as a judicial clerk to the Hon. Rudolph T. Randa, U.S. District Court, Eastern District of Wisconsin.

## Affiliations

- Member, Wisconsin State Bar
- Past President, Eastern District of Wisconsin Bar Association
- Board of Directors, Milwaukee's First Stage Children's Theater

## Presentations and Publications

Eric's recent publications and speaking engagements, in addition to other internal firm training and CLE presentations, include the following:

- "Protecting Donor Intent: Examples Ripped from the Headlines," Planned Giving Council of Eastern Wisconsin Annual Conference" 2022
- "The Attorney-Client Privilege and Work Product Doctrine in Practice," Presentations to Foley & Lardner LLP Environmental Group, January 15, 2014 and February 19, 2014
- "E-Discovery Issues," Law of Product Distribution and Franchise Seminar, May 24, 2011
- "The Seventh Circuit E-Discovery Pilot Program and What It Means for Litigation Parties," Law of Product Distribution and Franchise Seminar, May 24, 2011
- "10 Strategies for Reducing E-Discovery Costs," Association of Corporate Counsel, Wisconsin Chapter, Annual Conference, May 19, 2011
- "It Ain't Over 'Til It's Over – A Disputed Policy Buyback and Allocation," Mock Arbitration, Brokers & Reinsurance Markets Association, Committee Rendezvous, April 12, 2011
- "Are Insolvent Corporations Hurt By More Debt?" *Bankruptcy Law360*, January 18, 2011
- "Today's Discovery: Issues and Resources," Foley & Lardner LLP, September 14, 2010
- "Settlor Incompetence and The Trustee's Quandary – Dealing With a Mentally Incapacitated Settlor," *Trusts & Estates Magazine*, July 2010 Issue
- "Arbitrator Selection and Bias in Reinsurance Disputes," Brokers & Reinsurance Markets Association, Committee Rendezvous, April 2010
- "Obama Insurance Company v. Palin Reinsurance Company," Mock Arbitration, Brokers & Reinsurance Markets Association, Committee Rendezvous, March 2009
- "The Right to Associate: Growing Implications for Cedents and Reinsurers," Brokers & Reinsurance Markets Association, Committee Rendezvous, April 2008
- "Reinsurance Claims: Insights from Outside Counsel," Client CLE Presentation, February 26, 2008
- "Trust Litigation: Risk Management for Trustees – the Litigator's Perspective," Mid-Winter Estate Planning Clinic, February 9, 2008
- "Logistics of Document Discovery," Foley & Lardner LLP, June 28, 2007
- "Practical Guidance on Avoiding the Consequences of Wording Disputes," Brokers & Reinsurance Markets Association, Committee Rendezvous, March 2007

## Practice Areas

- [Business Litigation & Dispute Resolution](#)
- [Environmental](#)
- [Estate Planning](#)
- [Insurance & Reinsurance Litigation](#)
- [Litigation](#)

## Education

- The University of Virginia (J.D., 1997)
  - Notes Editor, *Virginia Journal of Social Policy and the Law*
- Wartburg College (B.A., summa cum laude, 1993)

## Admissions

- Wisconsin
- United States District Courts for the Eastern District of Wisconsin and the District of Colorado
- Eighth U.S. Circuit Court of Appeals