

ROBERT R. HOPPER (“Randy”)

Curriculum Vitae & Bio

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Randy Hopper is the Founder and Managing Partner of Robert R. Hopper & Associates, a professional firm he founded in 1978. Robert R. Hopper & Associates, L.L.C. is a law firm based in Minneapolis, MN with shared offices in Washington D.C. Through his law firm, he has enjoyed diverse and rewarding practice as a trial lawyer, litigating and negotiating in both federal and state courts; working in corporate public affairs; and as a lobbyist - lobbying Congress and the Executive Branch, including various agencies of the federal and state governments; as an advisor and counselor to business; and, as an advisor in strategic communications and media relations. In these varied roles, Mr. Hopper's 41 years of professional experience, with 33 years in private practice as a lawyer, focuses on varied areas of practice:

- Complex Civil Litigation, Mass Tort, Class Actions and Negotiation
- Corporate Public Affairs and Government Relations
- Advising and counseling business, academic and not-for-profit organizations
- Strategic Communications and Media Relations
- Law & Neuroscience
- Dispute Resolution

As an experienced practitioner in each of these areas of law, politics and media, Mr. Hopper emphasizes the importance of integration between them. This philosophy and practice is based on a view that most legal problems and dilemmas facing individual and corporate clients alike, often require strategies which are concomitantly effective in both the courtroom and the court of public opinion, and when necessary, in the political and public policy arena. These strategies require thoughtful and persuasive communication to advocate a client's interest or to creatively tell their stories. When litigation has ended or possibly been avoided and when negotiation is required, strategic communication is also imperative to ensure a desired outcome or resolution. Integrating these honed skills in all of these areas defines the uniqueness of Mr. Hopper's practice and evinces the depth and breadth of Robert R. Hopper & Associates, L.L.C. as a firm.

Mr. Hopper has been involved in several high-profile cases. In this capacity, he has often represented clients when “crisis management” is necessary. By offering all of these skill-sets simultaneously, Mr. Hopper may serve as a spokesperson and advisor in media relations, as an advocate in the courtroom and counselor at law, and as a lobbyist – all to assist clients in navigating through the crisis. If necessary, Mr. Hopper co-counsels with one of the country’s leading Crisis Managers, Mr. Lanny J. Davis, of Lanny J. Davis and Associates and formerly, White House Counsel to President Clinton and a Special Advisor to President George W. Bush.

For the past ten years, Mr. Hopper has placed considerable focus in his practice on Law & Neuroscience, litigating traumatic brain injury and spinal cord injury cases, handling various legal matters implicated by brain tumors and brain injuries, representing clients with neurodegenerative disease involving the aging brain and representing clients in legal matters involving the adolescent, developing brain.

PROFESSIONAL EXPERIENCE

Litigation and Negotiation

Throughout the course of his career, Mr. Hopper has represented both Plaintiffs and Defendants in litigation, including involvement in several of the largest cases in recent memory such as: The National Tobacco Litigation, which led to a \$247 billion settlement; several mass tort cases; several of the largest antitrust cases; one of the largest train derailment cases; several of the largest environmental cases; and, one of the largest civil rights cases. He was also Lead Counsel in the high profile false-abduction case representing University of Wisconsin student, Audrey Seiler. This case received national media attention for several months as Mr. Hopper provided both trial advocacy through legal proceedings and served as a spokesperson with the national media on behalf of his client and her family.

Over the course of his 33 years in practice, Mr. Hopper has defended and represented corporations involving various areas of law, including commercial litigation. Of particular interest has been Mr. Hopper's focus on medical technology, devices and pharmaceuticals, including regulatory matters with the FDA. Additionally, Mr. Hopper has been involved in international litigation, traveling extensively throughout the U.K., Europe and Asia.

Strategic Communications and Media Relations

Mr. Hopper’s cases have been featured on Court TV and other major national and local media. In that regard, he has been interviewed and appeared on the Today Show, Good Morning America, ABC’s 20-20, The CBS Early Show, CNN, CNBC, Larry King Live, The

Dan Abrams Show, FOX TV, On The Record with Gretta Van Sustern, National Public Radio, and numerous local media in the Twin Cities.

Corporate Public Affairs & Government Relations/Advising & Counseling Corporate Clients

Early in his career Mr. Hopper worked for the Cummins Engine Company at its corporate headquarters in Columbus, Indiana. While at Cummins, Mr. Hopper worked as a Senior Manager in Public Affairs and in Government Relations. He also served as a Senior Program Officer at the Cummins Engine Foundation, the company's corporate charitable foundation. During his tenure at Cummins, Mr. Hopper worked closely with Cummins Senior Management team, including the CEO, CFO and President. He also had the privilege of working closely with J. Irwin Miller, Founder, former CEO and at the time Chairman Emeritus. Mr. Miller was considered at the time to be one of the leading, if not the best corporate executive in the U.S., particularly with respect to corporate public affairs. He was also highly regarded as a potential candidate for U.S. President.

For several years, in his Corporate Public Affairs practice, in addition to advising in legal matters, Mr. Hopper provided counsel to corporate clients when faced with a reputational crisis or as a preventative measure, when they needed to advance their policy and political interests. In this public affairs practice, Mr. Hopper has represented many of the leading publicly held companies in Minnesota and several privately held businesses.

Through his Washington, D.C. practice, Mr. Hopper lobbied and successfully passed amendments to various federal legislation including FRSA – the Federal Rail Safety Act; he has engaged in administrative lobbying through Federal Rulemaking Procedure to amend RESPA – the Real Estate Settlement Procedures Act. Most notably, in 1997, Mr. Hopper was selected as a member of an exclusive lobbying team in Washington D.C. which worked to conform components of the National Tobacco Settlement to Federal Legislation. While there, Mr. Hopper was the lawyer in charge of the Castano Washington D.C. office for this national tobacco settlement lobbying effort. Additionally, Mr. Hopper has experience in regulatory lobbying and administrative law, practicing in matters with several federal governmental agencies. Mr. Hopper has also advised corporations in all facets of corporate communications, community relations, and in corporate philanthropy and charitable giving.

State Attorneys General Practice

A principle feature of Mr. Hopper's governmental relations practice has been his involvement with State Attorneys General where he represented attorneys general and their states in litigation and where he has represented private corporate clients in matters involving State Attorneys General.

Public Service and Government

Mr. Hopper served as a Special Advisor in Economic Development to Governor Al Quie and as a Director of State Development Planning for the State of Minnesota.

Past Professional Experience

For 20 years, Mr. Hopper was a founding and Senior Partner with Zimmerman Reed Law Firm (1990- 2010) serving on the firm's Management Committee and as the Partner in charge of the firm's Political Action and Government Relations Programs. During this time, Mr. Hopper, along with his partners, was instrumental in strategically developing Zimmerman Reed into a national law firm. As a Senior Partner, Mr. Hopper was responsible for managing up to 40 staff members, including associate attorneys, paralegals and administrative assistants; managing a multimillion-dollar budget; and, managing and leading several strategic alliances with attorneys from around the country.

Prior to joining Zimmerman Reed, Mr. Hopper practiced with Larkin, Hoffman, Daly & Lindgren in that firm's governmental relations and litigation departments (1988-1990).

Mr. Hopper has also held numerous positions in the public and private sector including: Counselor in an urban education program through the not-for-profit Communities in Schools, Inc., working with students in inner-city Atlanta, Harlem and the South Bronx (1976-1979); Senior Manager of Public Affairs for Cummins Engine Company, Inc. and Senior Program Officer in its corporate philanthropic foundation (1979-1981); Director of State Development Planning for the State of Minnesota; and, Special Advisor serving Minnesota Governor Al Quie on an economic development program focused on entrepreneurship (1981-1983).

Mr. Hopper worked as a Policy Advisor at the Minnesota Business Partnership (MBP) where he worked closely with CEOs from the 100 largest companies in Minnesota, elected officials, state agency staff and others on a range of public policy issues relevant to business and all Minnesotans. (1983-1985)

Mr. Hopper has been consistently rated AV® Preeminent™ Peer Review, in both practice and ethics, the highest possible ranking for a lawyer in the U.S under the Martindale Hubble system, America's most preeminent, peer-reviewed lawyer rating system.

EDUCATION

Mr. Hopper graduated cum laude with a Bachelor of Science Degree in 1976 from the University of Tennessee where he majored in pre-med and psychology. In his senior year in college, Mr. Hopper was admitted into a special off-campus/independent study program where he worked with adolescents under the supervision of professors of

psychiatry and psychology in a residential chemical dependency rehabilitation center. While in this special study program, Mr. Hopper focused on addiction medicine, during which, he wrote a senior thesis titled “The Foundations for Psychological Analysis and Practice through Psychotherapy”.

Following undergraduate study, Mr. Hopper conducted graduate study in public policy, with a concentration on political philosophy, at the Hubert H. Humphrey School of Public Affairs at the University of Minnesota (1978), followed by further graduate study in social and business ethics at Union Theological Seminary in New York City (1978- 1979). At Union, he wrote his thesis on the “Social Ethics of Reinhold Niebuhr.”

Upon graduation from law school in 1987 with a Doctorate in Jurisprudence, Mr. Hopper was awarded the “Excellence in Trial Advocacy” award, the highest achievement in trial advocacy awarded to a law student. Earlier that year, Mr. Hopper was awarded the highest level of recognition given by the ATLA-Association of Trial Lawyers of America – through a National Moot Trial Competition, as a finalist and second, among the top ten student trial advocates in the United States.

PROFESSIONAL ADMISSIONS, ACADEMIC AFFILIATIONS AND TEACHING

Mr. Hopper is admitted to practice in all state district courts in Minnesota and several federal courts, including the United States Supreme Court, the United States District Court for the District of Minnesota, and the Eighth Circuit Court of Appeals. Mr. Hopper is a member of the Federal Bar Association, American Bar Association, the Minnesota State Bar Association and the Hennepin County Bar Association. Mr. Hopper is also a member of the Minnesota Governmental Relations Council, The International Churchill Society and he is a founding member of the Winston S. Churchill Center for Policy Studies, Washington D.C.

Mr. Hopper was member of the adjunct faculty at William Mitchell College of Law in 1987-88 teaching a course he created entitled “Corporate Ethics and Advising Corporate Clients”. In the spring of 2012, Mr. Hopper introduced a new course and externship into the Clinical Program at the University of Tennessee College of Law focused on the “State Attorneys General Practice.” This course included several state attorneys general as visiting lecturers. Mr. Hopper has also lectured at the University of Tennessee on Neuroscience and Ethics.

Mr. Hopper chaired the Continuing Legal Education (CLE) seminar “Dealing with the Media in a High Profile Case”, has been on the faculty of the CLE “Complex Litigation,” and he has spoken at numerous legal seminars relating to his practice. In 2009, and again in 2010, Mr. Hopper spoke at University of Tennessee College of Law and the Howard Baker, Jr. Center for Public Policy where he was awarded the Distinguished Alumnus Award. Mr. Hopper’s speeches were titled:

“The Importance of Corporate Responsibility in an Era of Greed, Mistrust and Malfeasance: The Public Policy and Legal Implications for Changing the Way We Do Business”

“THINK! Using Good Judgment and Making Good Decisions in a Digital, Sound-Bite, Attention Deprived World”

In 2013, Mr. Hopper was a guest lecturer at the Haslem School of Business at the University of Tennessee lecturing on “Capitalism, Markets and Ethics – the Insights and Implications of recent brain research and Neuroscience on decision making”; and, in October of 2014 Mr. Hopper was the keynote speaker in a colloquium at the UT College of Law and College of Arts and Sciences where he spoke on “Neuroscience in the Coming Decades: Implications for the Law, Public Policy, Ethics and leadership in business.”

In 2019, *Finance & Commerce* and *Minnesota Lawyer* honored Mr. Hopper as a Minnesota Icon. The ICON awards honor senior leaders in Minnesota law and business for their years of service, inspiring leadership and the mark they make on the Minnesota business community.

LAW & NEUROSCIENCE

Since he was a young boy and in addition to his interest in law, Mr. Hopper has held a strong interest in medicine, and particularly the human brain and the scientific fields of neuroscience and neurobiology. Currently (in 2020), Mr. Hopper is working on a special Law & Neuroscience with a retired University of Minnesota neurosurgeon on a project on liability prevention for neurosurgeons.

University of Tennessee

- Served on the University of Tennessee Association of Psychology Alumni Board.
- Advisor to the University of Tennessee Graduate School at the College of Arts and Sciences and the College of Law regarding a course in Neuroscience and the Law.

University of Minnesota

- Former member of the Neuroscience Advisory Committee at the Minnesota Medical Foundation.
- Adjunct professor at the U of MN College of Law, co-teaching Neuroscience and the Law, with Professor Francis X. Shen, J.D., Ph.D.
- Former member of the Neuroscience Advisory Committee at the U of MN Medical Foundation.
- Worked with current and former Chairs of the Departments of Neurology and Neurosurgery as well as the Brain Imaging Center.

- Consulting with the lead professor at U of MN Law School in the area of Law and Neuroscience.

Harvard University

Mr. Hopper is a current (in 2020) member of the Harvard Massachusetts General Hospital Center for Law, Brain, and Behavior Advisory Board.

COMMUNITY SERVICE

For several years Mr. Hopper was dedicated to addressing the high school dropout problem in our country. To that end, he served as a member the National Leadership Council of the organization, Communities in Schools, Inc., the largest and most effective dropout prevention program in the country. He regularly does pro bono legal work to help parents, children and adolescents who face legal and personal problems.

Mr. Hopper is on the 2020 committee for the Minnesota Chapter of the Federal Bar Association Mass Tort & Complex Litigation Seminar.

HOBBIES, SPORTS AND MEMBERSHIPS

Mr. Hopper enjoys participation in several sports including: golf, squash, swimming and sailing. He is an avid outdoorsman through upland bird hunting, for which he raises AKC and field dog registered Irish, English, and Gordon Setters. Additionally, Mr. Hopper has been passionately involved with the sport of fly-fishing for the past 41 years, having fished in both fresh and salt waters. He has been a member of Wild Wings Hunting Club, Trout Unlimited, Pheasants Forever, the Ruffed Grouse Society, Sailor's World Yacht Club, and the Minnetonka Yacht Club. He is also a longtime member of the Minneapolis Club.

Mr. Hopper is CEO of Creekside Farms Racing, L.L.C., a thoroughbred racing business that buys, sells and breeds thoroughbreds. He is also a member of the Thoroughbred Owners and Breeders Association and the Thoroughbred Club of America, in Lexington, KY. He lives in Medina, MN.