



LANDMARK CASE

Richard Pemberton to mediate educational adequacy lawsuit

Children deserve the best no matter who they are or where they live. Most parents strongly agree with this statement. Yet some parents of children from schools in the Minneapolis school system don't believe their children are receiving the same quality education as those in other schools in the same system.

This has led to two lawsuits filed by the NAACP, parents, school districts and others against the city of Minneapolis and the State of Minnesota. The lawsuits accuse the state officials and agencies of handling

educational programs and staffing improperly. They claim the Minneapolis school system was unconstitutionally segregated by race and economics.

Attempting to avoid a lengthy and expensive trial, state officials and the NAACP have agreed trying mediation to settle the lawsuit. Mediation will not automatically dismiss the cases, but the suits will be delayed while the parties work towards a solution in hopes of presenting it to the 1999 Legislature.

Richard Pemberton of the Pemberton, Sorlie, Rufer and Kershner law firm was chosen as lead mediator of the lawsuits filed in September 1995 and February 1998.

"The parties to this educational adequacy lawsuit decided to explore resolving their issues through voluntary mediation instead of a court battle," Pemberton said, "My role will be primarily a matter of experience and acting as a facilitator — trying to get people to agree instead of disagree."

Richard L. Pemberton has been a trial lawyer in all

kinds of lawsuits for over 35 years. He represents plaintiffs and defendants in lawsuits for personal injury, defective products, legal and medical malpractice, employment law, and agri-business. Mr. Pemberton is certified by the Minnesota Supreme Court as a mediator and arbitrator of disputes. He has been admitted to the American College of Trial Lawyers, which limits its membership to only the top one percent of trial specialists.

American Research Corporation selected Richard Pemberton as a Leading Minnesota Attorney in the following areas: Employment Law (individual and management), Alternative Dispute Resolution: Personal Injury, Commercial Litigation, Personal Injury Defense Law and Personal Injury Law General. To be selected, attorneys must receive multiple recommendations from their peers in a statewide survey. Fewer than 6% of the state's attorneys are Leading Minnesota Attorneys.

Pemberton has participated in more than 100 mediation sessions or other forms of alternative dispute resolution. Pemberton says this is a more sweeping lawsuit than most. "It does demand a great deal of responsibility," he said.

NEW MEMBER

Smestad joins firm



JENNIFER O. SMESTAD

Jennifer O. Smestad has joined the firm of Pemberton, Sorlie, Rufer and Kershner. Jennifer will focus her practice in the areas of Estate Planning, Probate Law, Corporate Law and Real Estate Law.

Jennifer received her law degree from the University of Texas and her Bachelor of Science from the United States Military Academy at West Point, New York.

One of Jennifer's main interests is horseback riding. She and her husband, Richard, enjoy hiking, canoeing and outdoor activities of all kinds. They especially enjoy renovating their century-old farm. Jennifer is also a Rotary International member and serves on the Moccasin Valley, Inc. Board of Directors. Richard is the Director of Customized Training at the Fergus Falls Community College.



RICHARD L. PEMBERTON

Selected by peers as a

LEADING MINNESOTA
ATTORNEY