



Brian J. Fagan

Member

Contact

Direct: (319) 896-4033

Location: Cedar Rapids

Fax: (319) 366-1917

Email: bfagan@spmblaw.com

PRACTICE AREAS

Labor and Employment Law

Business and Commercial
Litigation

Probate, Estate and Trust
Litigation

Appellate Advocacy

Municipal Law

Brian Fagan is a litigation attorney with over 17 years of experience representing individuals and businesses in matters relating to employment and labor law, business and commercial litigation and trust and estate litigation. Mr. Fagan represents employers in a variety of industries, including health care, utilities, manufacturing, financial services, insurance and transportation. He appears before local, state and federal administrative agencies, and state and federal courts and arbitration panels. Mr. Fagan chairs the firm's labor and employment practice group and is a member of its board of directors.

Mr. Fagan formerly served as a Law Clerk to Judge Michael J. Melloy for the United States District Court for the Northern District of Iowa and the United States Court of Appeals for the Eighth Circuit. From 2006-2010, he served as Mayor Pro Tem for the City of Cedar Rapids.

Mr. Fagan graduated from the University of Iowa. He worked for Congressman Jim Leach in the district and Washington, D.C. offices and for the U.S. House of Representative Financial Services Committee. Mr. Fagan earned a Master of Arts in International Political Economy from the Catholic University of America. He graduated with honors from Drake University Law School where he was Editor-in-Chief of the Drake Law Review.

Mr. Fagan was listed in Best Lawyers® 2019 "Lawyer of the Year" in Cedar Rapids for Litigation - Labor and Employment, in 2021 for Employment Law - Individuals and in 2022 for Labor Law - Management. Mr. Fagan has been recognized by his peers as an AV Rated attorney with Martindale-Hubbell and is included in the Great Plains Super Lawyers list.

Employment and Labor Law. Mr. Fagan represents and counsels businesses and individuals on employment-related matters, including employment contracts, independent contractor agreements, trade secrets, non-compete and non-solicitation agreements, as well as the Family and Medical Leave Act (FMLA), the Americans with Disabilities Act

(ADA), the Age Discrimination in Employment Act (ADEA), Title VII of the Civil Rights Act and the Occupational Safety and Health Act (OSHA). He regularly handles traditional labor law arbitrations, including discipline and discharge and contract interpretation grievances. He conducts internal employment investigations and counsels clients facing government investigations on the multitude of statutes and regulations governing the workplace.

Litigation Practice. Mr. Fagan represents and advises individuals and businesses in a broadly varying litigation capacity, including commercial and business litigation, agricultural related litigation and trust and estate litigation. He advises clients as they work toward a negotiated, mediated or litigated result.

Mediation. Mr. Fagan is a Certified Mediator and received his training at Northwestern University and the International Academy of Dispute Resolution in Des Moines, Iowa. He is trained in Collaborative Law.

Bar Admissions

- State of Iowa

Court Admissions

- US District Courts
 - Northern & Southern Districts of Iowa
 - Northern District of Illinois
- US Court of Appeals
 - Seventh Circuit
 - Eighth Circuit
 - Ninth Circuit
 - Eleventh Circuit
 - District of Columbia
- US Supreme Court

Education

- Drake University Law School, JD, with honors
 - Editor-in-Chief, Drake Law Review
- Catholic University of America, MA, 1998
 - International Political Economy
- University of Iowa, BBA, 1994

- Business Administration

Clerkship

- Law Clerk to Judge Michael J. Melloy, United States District Court for the Northern District of Iowa and the United States Court of Appeals for the Eighth Circuit, 2001-2003

Honors & Awards

Professional Honors

- AV Rating by Martindale-Hubbell®
 - "Experienced lawyer with record of committed public service and responsibility."
-- Martindale-Hubbell®
- Included in the Best Lawyers® "Lawyer of the Year" list in Cedar Rapids
 - Labor Law - Management, 2022
 - Employment Law - Individuals, 2021
 - Litigation - Labor and Employment, 2019
- Included in the Best Lawyers in America® list
 - Employment Law - Individuals, Employment Law - Management, Commercial Litigation, Labor Law – Management, Litigation – Labor and Employment, 2022
- Included in Great Plains Super Lawyers list, 2018-2021
 - Employment & Labor

Community Honors

- The Arc of East Central Iowa's Professional of the Year, 2017
- Corridor Business Journal's Forty Under 40

Professional & Community Affiliations

Professional Memberships

- Iowa State Bar Association
 - Labor and Employment Law Section
 - Litigation Section
 - Government Practice Section
- Linn County Bar Association

- Society for Human Resource Management
- Eastern Iowa Human Resource Association

Community Involvement

- Bruce more, Vice President of the Board of Trustees
- Mercy Medical Center, Board of Trustees Ethics Committee
- Arc of East Central Iowa, Former Board Member
- Cedar Rapids City Council, 2006-2010
- Linn County I-Club, Former President

News & Events

2021

- Eleven SPMB Attorneys Named “Lawyer of the Year” by Best Lawyers® 2022, 08/19/2021

2020

- Best Lawyers in America® Lawyer of the Year Cedar Rapids, 8/20/2020
- 2020 Great Plains Super Lawyers Announced, 7/31/2020