



SpencerFane®

Madeline E. Davis

Associate

Contact

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Overview

Madeline Davis represents contractors and subcontractors in all phases of construction litigation, employing an aggressive yet reasonable, value-oriented approach which considers the needs of all parties to secure consistently favorable outcomes. Her experience extends to both private and public projects, where she demonstrates a proven ability to collaborate with a wide variety of stakeholders. She has completed over 10 trials, several of which she served as first chair.

Within her comprehensive practice, Madeline handles everything from drafting and negotiating construction contracts and settlement agreements to guiding clients through pre-litigation risks, construction defect claims, bid protests and competitive bidding claims, jobsite accidents, delay and acceleration claims, mechanics' liens, insurance coverage disputes, and procurement disputes. In addition to her vigorous work in the courtroom representing clients as plaintiff and as defendants, Madeline has significant experience in mediation and arbitration.

On the defense side, Madeline has successfully represented many general contractors and subcontractors against citations and investigations by the U.S. Occupational Safety and Health Administration (OSHA), Minnesota OSHA (MNOSHA), and other state-specific plans. She has successfully obtained reversals of MNOSHA citations through appeals before the Minnesota Occupational Safety and Health Review Board. Madeline also has experience in representing clients in employment-related claims, including successfully obtaining dismissals from the Department of Labor.

Education

- Mitchell Hamline School of Law (J.D.), *cum laude*
- University of Minnesota Twin Cities (B.A.)

Bar Admissions

- Minnesota, 2019

Court Admissions

- U.S. District Court for the District of Minnesota

Community Involvement

- Conviction Review Unit, Pro Bono Representative
- Tubman Safety Project, Pro Bono Representative
- Secondhand Hounds, Volunteer

Distinctions

- *Minnesota Super Lawyers*, Rising Stars, 2025

Memberships

- Minnesota State Bar Association
- Hennepin County Bar Association
- Minnesota Women Lawyers
 - Minnesota Women Lawyers Leadership Institute, 2022
- Twin Cities Diversity in Practice, Emerging Leaders Group, 2022–2023; Emerging Leaders Group Outreach Lead, 2022

Presentations and Publications

- “From Thinset to Mindset: Getting OSHA-Ready,” Safety Training at Acoustics Associates, Inc., Minnesota, May 2025
- “General Conditions of the Contract for Construction,” CCI Training Center, Hopkins, Minnesota, February 2025
- Safety Training, Northdale Construction Company, Inc., Albertville, Minnesota, April 2024
- “Changes to Construction Contracts,” Minnesota Mechanical Contractors Association, Webinar, March 2024
- “OSHA Changes and Policy Updates that Impact Your Company,” The Builders Group, Eagan, Minnesota, March 2024
- “MNOSHA Legislative Changes,” OSHA Environmental Compliance Systems (OECS), Webinar, December 2023

Related Experience

- Won trial as solo counsel for roofing subcontractor and recovered damages, including attorneys’ fees and interest, for breach of contract, Minnesota Statute 337.10, and account stated claims.
- Won an arbitration on behalf of a subcontractor for projects done for the Minnesota Department of Transportation and Wisconsin Department of Transportation. Obtained dismissal of claims from general contractor and award of over \$1 million for subcontractor.
- Represented contractor in bid protest case in Minnesota. Obtained temporary restraining order and permanent injunction to stop work on construction project, held municipality in contempt of court for violating court order, and received award of attorneys’ fees in excess of \$100,000.00.
- Successfully defended contractor against the Minnesota Department of Labor in which the Department of Labor claimed the contractor should be censured for holding itself out to be a mobile home dealer. The four alleged violations against the contractor were dismissed in their entirety.
- Represented developer of a North Dakota apartment complex in foreclosure action that included alter ego and fraud claims. This case involved a three-week jury trial in North Dakota and subsequent appeal to the North Dakota

Supreme Court.

- Successfully argued for the reversal of a Minnesota Occupational Safety and Health Administration (“OSHA”) Citation for an alleged hazard communication training in front of the Occupational Safety and Health Review Board.
- Obtained dismissal of North Dakota Department of Labor employment discrimination claim against general contractor.
- Defended contractors and subcontractors against OSHA citations before Administrative Law Judges in Minnesota, Michigan, North Carolina, and California.
- Represented contractors and subcontractors during and immediately following OSHA investigations in Minnesota, North Dakota, Iowa, Wisconsin, and California, preventing some citations from being issued and reducing the severity level in others.
- Foreclosed on mechanic’s lien claims on behalf of general contractors and subcontractors in Minnesota, Wisconsin, and North Dakota.