



## Michael R. Cunningham

Senior Counsel | [michael.cunningham@lathrooggpm.com](mailto:michael.cunningham@lathrooggpm.com)

### MINNEAPOLIS

80 South Eighth Street  
500 IDS Center  
Minneapolis, MN 55402

T: 612.632.3339  
F: 612.632.4339

*Assistant*  
Kristina Procai  
612.632.3301

### PRACTICE AREAS

General Business & Complex  
Commercial Litigation

Trust & Estate Litigation

Litigation & Dispute Resolution

Nonprofit & Tax-Exempt  
Organizations

### INDUSTRIES

Education

### COURT MEMBERSHIPS

- Minnesota
- U.S. District Court District of  
Minnesota
- U.S. Court of Appeals Eighth  
Circuit

### EDUCATION

University of Iowa College of  
Law, J.D., with high distinction,  
1970, *Iowa Law Review*,  
editor; Order of the Coif

University of Iowa, with

Mike Cunningham has an active general litigation practice and has handled numerous jury and court trials. He has successfully represented clients in a wide range of commercial and complex litigation matters, trust and estate disputes, fiduciary claim matters, professional liability cases, employment law matters, and matters for higher educational institutions. Mike also has substantial experience in arbitrations and other alternative dispute resolution proceedings. Mike has been a member of the firm's litigation group since 1971.

Mike previously served as the former Gray Plant Mooty's Managing Officer and Chair of its Board of Directors from 1987-2000. He is noted for providing straight-forward and practical advice, together with excellent negotiation and trial skills, in his representation of clients.

### Experience

- Represented owners, fiduciaries, beneficiaries, and other interested parties in closely held business matters and trust and estate disputes
- Represented numerous higher educational institutions, including St. Olaf College, St. John's University, Concordia College, Carleton College, University of Minnesota Foundation, Dunwoody College, and Washington University in St. Louis, in multiple and diverse matters
- Represented Minnesota attorneys and law firms in professional liability cases
- Represented numerous clients in contract and commercial cases

### Representative Matters

- *Matter of Lindmark Endowment for Corp.-Bus. Ethics Fund*, No. A19-0229, 2019 Minn. App. Unpub. WL 5546205 (Minn. Ct. App.

distinction, 1967, undergraduate degree

Oct. 28, 2019) (higher education and endowment administration case)

- *In re Rutherford Brosious Trust Agreement*, No. A17-1406, 2018 Minn. App. Unpub. WL 2186991, (Minn. Ct. App. May 14, 2018) (trust litigation case)
- *In re Pamela Andreas Stisser Grantor Trust*, 2011 Minn. App. Unpub. LEXIS 539, at \*1 (Minn. Ct. App. Aug. 16, 2011), aff'd in part, rev'd in part, *In re Pamela Andreas Stisser Grantor Trust*, 818 N.W. 2d 495 (Minn. Sup. Ct. 2012) (trust and fiduciary case)
- *Grazzini-Rucki v. Grazzini*, 2010 Minn. App. Unpub. LEXIS 287, at \*1 (Minn. Ct. App. Apr. 6, 2010) (partnership dispute case)
- *In re WCAL Charitable Trust*, 2009 Minn. App. Unpub. LEXIS 1356, at \*1 (Minn. Ct. App. Dec. 29, 2009) (higher education and charitable trust case)
- *Hillstrom v. Kenefick*, 484 F.3d 519 (8th Cir. 2007) (professional liability case)
- *Source Food Tech. Inc. v. United States Fid. & Guar. Co.*, 460 F.3d 995 (8th Cir. 2006) (commercial insurance coverage case)
- *Ross v. Briggs & Morgan*, 540 N.W.2d 843 (Minn. Sup. Ct. 1995) (professional liability case)
- *Concordia Coll. v. Salvation Army*, 470 N.W.2d 542 (Minn. Ct. App. 1991) (estate litigation case)
- *Grazzini-Rucki v. Grazzini*, No. 27-CV-09-21453 (Hennepin Cnty. Dist. Ct. Dec. 19, 2014) (partnership dispute and dissolution case)
- *Temp-Air, Inc. v. Giertsen Co.*, No. 27-CV-13-13211 (Hennepin Cnty. Dist. Ct. Feb. 6, 2013) (commercial contract case)
- *In the Matter of the Duncan A. Campbell Charitable Remainder Trust*, No. 73-CV-11-6895 (Stearns Cnty. Dist. Ct. July 25, 2013) (trust litigation case)
- *AMW Latin Am. v. PLR IP Holdings*, No. 50-133-T-000563-12 (Int'l Ctr. for Dispute Resolution (2012) (commercial arbitration matter)
- *In re Estate of Grazzini*, No. 19HA-PR-08-470 (Dakota Cnty. Dist. Ct., July 30, 2010) (trust and fiduciary case)

## Events

- Give It Up but Don't Tie It Up: Considerations for Restricted Gifts  
April 17, 2019
- Death, Taxes, And Litigation: Higher Education 2010 Litigation Update

November 22, 2010

## Presentations

- "Who Gets the Cookies?—New Developments in Trust and Estate Litigation," Minnesota State Bar Probate and Trust Conference, copresenter with Robert Harding, January 1, 2007
- "Take the Money and Run: Litigating Disputes Between Beneficiaries of an Estate," Minnesota State Bar Probate and Trust Conference, copresenter with Robert Harding, January 1, 2006
- "Litigating Claims Against Trustees," Minnesota State Bar Probate and Trust Conference, copresenter with Robert Harding, January 1, 2005

## News Releases

- Seven Lathrop GPM Attorneys Named Lawyer of the Year, 100 Ranked as The Best Lawyers in America©  
August 19, 2021
- Lathrop GPM Attorneys Named to The Best Lawyers in America©, Lawyer of the Year, and Ones to Watch for 2021  
August 20, 2020
- Lathrop GPM Attorneys Named 2020 Minnesota Super Lawyers and Rising Stars  
July 21, 2020
- Gray Plant Mooty Attorneys Named The Best Lawyers in America© 2020  
August 15, 2019
- Gray Plant Mooty Attorneys Named 2019 Minnesota Super Lawyers and Rising Stars  
July 5, 2019
- Gray Plant Mooty Attorneys Recognized in The Best Lawyers in America© 2019  
August 15, 2018
- Gray Plant Mooty Attorneys Named 2018 Minnesota Super Lawyers and Rising Stars  
July 5, 2018
- 37 Gray Plant Mooty Attorneys Recognized in The Best Lawyers in America 2018  
August 15, 2017
- 43 Gray Plant Mooty Lawyers Named 2017 Minnesota Super Lawyers and Rising Stars

July 5, 2017

- 35 Gray Plant Mooty Attorneys Recognized in The Best Lawyers in America 2017  
August 15, 2016
- 40 Gray Plant Mooty Lawyers Named 2016 Minnesota Super Lawyers and Rising Stars  
July 5, 2016
- 36 Gray Plant Mooty Attorneys Recognized in The Best Lawyers in America 2016  
August 17, 2015
- 38 Gray Plant Mooty Lawyers Named 2015 Minnesota Super Lawyers and Rising Stars  
July 09, 2015
- 33 Gray Plant Mooty Attorneys Recognized as Best Lawyers  
August 19, 2014
- 40 Gray Plant Mooty Lawyers Named 2014 Minnesota "Super Lawyers" and "Rising Stars"  
July 7, 2014
- 27 Gray Plant Mooty Attorneys Named 2012 "Minnesota Super Lawyers"  
July 9, 2012
- 22 Gray Plant Mooty Attorneys in 2012 Edition of "Best Lawyers in America"  
September 2, 2011
- 25 Gray Plant Mooty Attorneys Named 2011 "Minnesota Super Lawyers"  
July 12, 2011
- 23 Gray Plant Mooty Attorneys in 2011 Edition of "Best Lawyers in America"  
August 9, 2010
- 24 Gray Plant Mooty Attorneys Named 2010 "Super Lawyers"  
July 16, 2010

### Professional Affiliations

- American Bar Association
- Minnesota Bar Association
- Minnesota Defense Lawyers Association

- Defense Research Institute
- Law clerk for the Chief Judge, U.S. District Court for the District of Minnesota

### Community Involvement

- Legal Advice Clinics, past president
- Junior Achievement, volunteer teacher
- Minneapolis Rotary Club, No. 9, member and Foundation Board member and past president
- Minnetonka High School Booster Club, past president and Board member
- Mt. Calvary Church, member and Foundation Board member and president

### Honors

- Litigation Council of America, Fellow
- *The Best Lawyers in America*©, 2003-2022
- "Minnesota Super Lawyer®," Thomson/Reuters, 2001-2020