



## Michael (Mike) R. Cunningham

Senior Counsel

Minneapolis

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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.

### Areas of Focus

#### Services

[Litigation](#)

[General Business & Complex](#)

[Commercial Litigation](#)

[Trust & Estate Litigation](#)

#### Sectors

[Education](#)

[Nonprofit & Tax-Exempt](#)

[Organizations](#)

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### 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. 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)
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## Credentials

### Education

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

- University of Iowa, undergraduate degree, 1967, with distinction

## Bar Admissions

- Minnesota

## Court Admissions

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

## Recognition

- Litigation Council of America, Fellow
- Selected among *The Best Lawyers in America*®, 2003-2025
- *Minnesota Monthly*, "Minnesota's Top Lawyers," 2022, 2024
- *Thomson Reuters*, "Minnesota Super Lawyer®," 2001-2020

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## 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

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## Professional Activities

- American Bar Association
- Minnesota Bar Association
- Minnesota Defense Lawyers Association
- Defense Research Institute

## 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