

ATTORNEY PROFILE



Mark J. Carpenter

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Specialty Areas

Commercial Litigation

Admissions

Minnesota

United States Court of Appeals for the Eighth Circuit

United States Court of Appeals for the Fourth Circuit

United States District Court for the District of Minnesota

United States District Court for the Western District of Michigan

United States District Court for the Eastern District of Arkansas

Education

Kenyon College, B.A., *summa cum laude*

University of Michigan Law School, J.D., *magna cum laude*

Mark focuses his practice on commercial litigation, representing clients in federal and state courts in over 25 jurisdictions over the past 26 years. These matters include clients in the manufacturing, financial services, restaurant, agricultural, and insurance sectors. Mark has handled trials ranging from one hour to five weeks (twice).

Representative Experience

- Obtained partial summary judgment in 2021 barring sales representative from recovering gross commissions for more than 180 days under Minnesota's Termination of Sales Representatives Act.
- Obtained \$695,000 settlement for dairy farmer against dairy nutritionist and feed mill in litigation arising out of formulation error (2020-21).
- Served as lead defense counsel in Wisconsin jury trial in 2019; although liability was conceded, plaintiff recovered only 1/4th of alleged losses.
- Defended a financial services company in federal court litigation in Minnesota (2013-15), Ohio (2015-17), and New York (2018-19), all settling on favorable terms.
- Served as lead counsel for Illinois manufacturing company in litigation arising out of failed joint venture; negotiated buy-out of former partner (2017-18).
- Co-chaired arbitration in Des Moines in 2013 leading to a \$9 million award for client in case involving pricing of hog procurement contracts.
- Part of defense team achieving a defense verdict in 2010 in a 5-week jury trial in rural Arkansas alleging pesticide spray drift. Chaired weekly conference calls among defense counsel to coordinate discovery and motion strategy.
- Defended international food company in putative national class action in the United States District Court for the Western District of Louisiana (2006-13).
- Tried two cases to jury verdict alleging professional negligence of commercial insurance broker; one resulting in defense verdict and the other in plaintiff recovering less than 25% of its alleged damages.
- Led defense counsel in 15 related cases in Florida alleging fungicide injured leatherleaf fern crops and the soil in which they were grown (2001-04). The cases settled after a



favorable summary judgment ruling on federal preemption grounds.

- Successfully argued before United States Court of Appeals for the Eighth Circuit in 2002 in case where plaintiffs' personal injury claims relating to alleged chemical exposure were found to be preempted by federal law.

Professional and Civic Activities

- 20+ year volunteer through Volunteer Lawyers Network representing indigent clients in housing clinic at Hennepin County Government Center.
- Traveled to Morocco with a team of lawyers in 2013 representing The Advocates for Human Rights to identify opportunities to support Moroccan human rights and civil service organizations.
- Nominated in 2006 for Minnesota Justice Foundation Outstanding Service Award for pro bono work.
- In 2006, working with the nonprofit Appleseed organization, led a team of lawyers that visited San Antonio to document the assimilation of people who settled there after being displaced from New Orleans by Hurricane Katrina.