



Russell S. Ponessa

Partner
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A trial lawyer with over 30 years of experience, Russell Ponessa represents companies whose products or business practices are under attack. He has a wide-ranging civil litigation practice with substantial experience in product and professional liability, medical devices, toxic torts, construction, business and other commercial disputes, insurance coverage, and consumer claims.

Russ has tried numerous cases to verdict and handles single and multiple-claim lawsuits in state and federal courts throughout the country. His clients span manufacturers and sellers of consumer, industrial, and healthcare products, corporations in the pharmaceutical industry, legal and medical professionals, construction companies and contractors, insurers, banks, and other large and small businesses.

Russ is certified as a Civil Trial Specialist by the National Board of Trial Advocacy and the Minnesota Civil Trial Certification Council. In 2022, he was inducted as a Fellow of the American College of Trial Lawyers (ACTL), composed of the best of the trial bar from the United States, Canada, and Puerto Rico.

In addition to being admitted in Minnesota, Russ regularly represents clients in state and federal courts coast-to-coast.

Professional Affiliations

- American Bar Association
 - Tort and Insurance Practice Section
- Minnesota State Bar Association
 - Litigation Section
- Defense Research Institute
- Minnesota Defense Lawyers Association
 - Product Liability Committee, Former Chair

Honors & Awards

- Fellow of the American College of Trial Lawyers (ACTL)
- Certified as Civil Trial Specialist by the National Board of Trial Advocacy and the Minnesota Civil Trial Certification Council

Practices

Commercial Litigation
Consumer and Class Action
Defense
Professional Liability
Complex Tort & General
Casualty

Education

J.D., *cum laude*, University of
Minnesota Law School, 1985

B.A., University of Minnesota,
1981

Admissions

Minnesota
U.S. Supreme Court
U.S. Court of Appeals for the
Eighth Circuit
U.S. Court of Appeals for the
Ninth Circuit
U.S. Court of Appeals for the
Tenth Circuit
U.S. Court of Appeals for the
Eleventh Circuit
U.S. District Court for the
District of Colorado
U.S. District Court for the
District of Minnesota
U.S. District Court for the
District of North Dakota



- Holds the AV® Peer Review Rating from Martindale-Hubbell, its highest rating for ethics and legal ability
- Selected by his peers for inclusion in *The Best Lawyers in America*® for Personal Injury Litigation – Defendants, 2017 – 2024; Product Liability Litigation – Defendants, 2017 – 2024
- Selected as a Top Lawyer for Personal Injury Law by *Minnesota Monthly*, 2023
- Recognized on the Super Lawyers list by *Minnesota Super Lawyers* magazine since 1998, and on the Top 100 Super Lawyers list, 2012 – 2015, 2017

Representative Matters

A selection of Russ's representative cases includes:

- *Oien v. Home Depot U.S.A., Inc., et al.*, 69 F. 4th 487 (8th Cir. 2023)
- *Withrow v. General Motors, et al.*, 2021 Cal. Super. LEXIS 7065
- *Markel v. Douglas Techs. Grp., Inc.*, No. 19-2637, 2020 U.S. App. LEXIS 24786 (8th Cir. Aug. 6, 2020)
- *Stewart v. Norcold, Inc., et al.*, 2020 U.S. Dist. LEXIS 45087 (D. Minn. Mar. 16, 2020)
- *Mickelson v. County of Ramsey*, 823 F.3d 918 (8th Cir. 2016), *cert. denied sub nom.*, *Mickelson v. County of Ramsey, Minn.*, 137 S. Ct. 1578 (2017)
- *Trople v. Black & Decker (U.S.) Inc.*, 2015 WL 4992011 (D. Minn. Aug. 20, 2015)
- *HomeStar Property Solutions, LLC v. VRM Mortgage Services, Inc.*, 2015 WL 1191270 (D. Minn. Mar. 16, 2015)
- *Fitzgerald v. Zakheim & LaVrar, P.A.*, 90 F. Supp. 3d 867 (D. Minn. Feb. 11, 2015)
- *Mclvor v. Credit Control Services, Inc.*, 773 F.3d 909 (8th Cir. 2014)
- *Whitney v. The Guys, Inc.* 700 F.3d 118 (8th Cir 2012)
- *Dakota West Credit Union v. CUMIS Ins. Society, Inc.*, 532 F. Supp. 2d 1110 (D.N.D. 2008)
- *Hughes v. Black & Decker*, 2007 WL 10768 (D. Minn. Jan. 10, 2007) and 2007 WL 624333 (D. Minn. Jan. 24, 2007)
- *Wagoner v. Black & Decker*, 2006 WL 2289983 (D. Minn. Aug. 8, 2006)
- *Yoder v. Honeywell Inc.*, 104 F.3d 1215 (10th Cir. 1997)

Community/Civic Activities

Russ is an active member of Hinshaw's Pro Bono Committee and regularly provides pro bono services through the Federal Bar Association's Minnesota Chapter, *Pro Se Project*. He also volunteers time to his community by coaching youth sports, as a board member of nonprofit organizations, and participating in charitable events.