

Ben Kappelman

Partner

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Minneapolis – 612.492.6744

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Ben helps clients protect their investments and guard their reputations in high-stakes litigation.

Ben is a dispute resolution attorney with wide ranging experience representing his clients in courts across the country.

Ben routinely serves clients in the health care, manufacturing, construction, and energy industries, as well as Native American tribes. They trust Ben's judgment and strategic management of litigation costs to pursue favorable outcomes efficiently. Ben believes the best lawsuit is one resolved quickly, but he has the experience and dedication to press through lengthy and challenging disputes to achieve his clients' goals.

Ben's expertise includes environmental law disputes, patent, trade secret, and trademark infringement litigation, contract interpretation matters, employment disputes, and health litigation.

Ben maintains an active pro bono practice, including representing veterans pursuing the benefits they earned through service to our country. He also represents a Minnesota Native American tribe in child protection proceedings involving children subject to the Indian Child Welfare Act or Minnesota Indian Family Protection Act.

Ben volunteers on the board of directors of PAI, Inc., a non-profit day training and habilitation program that empowers the individual choices of adults with disabilities to achieve meaningful participation in and connection to the community. He also serves on the human resources committee of his church.

Select Experience

- *Sharot v. Water Gremlin Co.*, No. A22-0035, 2022 WL 4295381 (Minn. Ct. App. Sept. 19, 2022) – Successfully argued before Minnesota Court of Appeals, which affirmed

Education

- Suffolk University Law School (J.D., 2011)
 - *summa cum laude*, Law Faculty Outstanding Student Award, Daniel J. Fern Award, Academic Leadership Scholarship, Suffolk University Law Review
- Boston University (B.A., 2008)

Bar Admissions

- Montana
- New York
- United States Patent and Trademark Office
- Maine
- Minnesota

summary judgment in favor of Dorsey's client manufacturer. Court held there was no evidence that trichloroethylene (TCE) contaminated appellant's property or that it interfered with appellant's use of his property, and rejected claims for negligence and nuisance. Court also held that Minnesota law does not recognize stigma-caused diminution in property value as injury in tort.

- *May v. Delta Air Lines*, No. CV 21-710 ADM/ECW, 2022 WL 2835123, at *1 (D. Minn. July 20, 2022) – Won summary judgment on behalf of Dorsey's client air line against former employee's disability discrimination claim.
- *Echo Bay Pharms., LLC v. Torrent Pharma, Inc.*, No. 20-CV-6345 (BCM), 2022 WL 2132964 (S.D.N.Y. June 14, 2022) – Represented pharmaceutical company against breach of contract claims brought by its co-developer. Co-developer dismissed its case after court rejected most of its legal theories.
- *Vulles v. Thies & Talle Mgmt., Inc.*, 512 P.3d 248 (Mont. 2021): The Montana Supreme Court, ruling on an issue of first impression, affirmed the dismissal of class action allegations against Dorsey's client at the pleading stage.

Court Admissions

- 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 Montana
- U.S. District Court for the Northern District of New York
- U.S. District Court for the Southern District of New York
- U.S. District Court for the District of North Dakota
- U.S. District Court for the Western District of Wisconsin
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Federal Circuit
- U.S. Court of Appeals for Veterans Claims
- U.S. Court of Federal Claims
- U.S. Bankruptcy Court for the District of Montana
- Tribal Court of the Shakopee Mdewakanton Sioux Community

Professional Affiliations

- Ben maintains an active pro bono practice and is an Accredited Attorney with the U.S. Department of Veterans Affairs
- PAI
 - Board of Directors Chair, 2026
 - Director, 2018-2025
- Member, American Intellectual Property Law Association
- Member, American Bar Association Forum on the Construction Industry
- Member, Federal Bar Association

Clerkships

- Maine Supreme Judicial Court, Associate Justice Ellen A. Gorman, 2011–2012
- Maine Supreme Judicial Court, Associate Justice Donald G. Alexander, 2012–2013

Accolades

- *Twin Cities Business*, Notable Litigator & Trial Attorney, 2026
- Dorsey & Whitney – Scales of Justice Team Award (Veterans Rights Team; Housing Discrimination Claim v. City of Minneapolis Team; Housing Team), 2025
- *Minnesota Super Lawyers®*, "Rising Stars," 2019-2026
- MSBA, North Star Lawyer, 2014-2025
- *Minnesota Monthly*, "Top Lawyers in Minnesota," 2024
- Consistently providing pro bono legal assistance to those in need through Dorsey's Pro Bono program

Insights

August 8, 2023

How High Court Is Assessing Tribal Law Questions

June 15, 2023

Dorsey Partner Ben Kappelman Discusses the Supreme Court's Decision to Uphold the Indian Child Welfare Act

November 14, 2022

Kappelman, Durocher, and Tahdooahnippah Counsel in Oklahoma Tribal Gambling Case

November 13, 2022

Kappelman Discusses SCOTUS Arguments in Native American Tribal Case on Bloomberg Law Podcast

November 10, 2022

Kappelman Comments on Tribes Possible Disappointment in SCOTUS Native American Adoption Case

November 10, 2022

Kappelman Explains SCOTUS Native American Adoption Case

November 10, 2022

Kappelman On Native American Adoption Case's Effect on Minnesota's Laws

November 9, 2022

Kappelman Quoted on Native American Adoption Case Dividing Justices

November 9, 2022

Kappelman Weighs in on Indian Child Welfare Act of 1978 Supreme Court Case

November 9, 2022

Kappelman Quoted on ICWA Case That Threatens Tribal Sovereignty

November 5, 2022

Kappelman Comments on Indian Child Welfare Act

June 17, 2022

Kappelman Discusses Significance of Supreme Court's Ruling in Texas Native American Gambling Case

June 15, 2022

Kappelman Quoted on Supreme Court Siding with Native American Tribes in Gambling Case

January 20, 2022

Ninth Circuit Asks Montana Supreme Court for Guidance: Is an Employer Defending Itself in a Wrongful Discharge Lawsuit Limited to the Reasons for Termination Given in a Discharge Letter?

July 21, 2020

Montana Supreme Court Upholds \$2.3 Million Judgment Against Former Employees Subject to Restrictive Covenant