

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAVID N. ZIMMERMAN,)	Civ. No. 2:16-cv-14005-AC-SDD
Individually and on Behalf of All Others))	
Similarly Situated,)	Hon. Avern Cohn
)	
Plaintiff,)	<u>CLASS ACTION</u>
)	
vs.)	
)	
DIPLOMAT PHARMACY, INC., et al.,))	
)	
Defendants.)	
)	

**DECLARATION OF SHARON S. ALMONRODE FILED ON BEHALF OF
THE MILLER LAW FIRM, P.C. IN SUPPORT OF APPLICATION FOR
AWARD OF ATTORNEYS' FEES AND EXPENSES**

I, Sharon S. Almonrode, declare as follows:

1. I am a Partner at The Miller Law Firm, P.C. I am submitting this declaration in support of my firm's application for an award of attorneys' fees and expenses/charges ("expenses") in connection with services rendered in the above-entitled action.

2. This firm is Liaison counsel of record for plaintiffs and the putative class.

3. The information in this declaration regarding the firm's time and expenses is taken from time and expense printouts and supporting documentation prepared and/or maintained by the firm in the ordinary course of business. I am the partner who oversaw and/or conducted the day-to-day activities in the litigation and I reviewed these printouts and backup documentation where necessary or appropriate in connection with the preparation of this declaration. The purpose of this review was to confirm both the accuracy of the entries on the printouts as well as the necessity for, and reasonableness of, the time and expenses committed to the litigation. I believe that the time reflected in the firm's lodestar calculation and the expenses for which payment is sought as set forth in this declaration are reasonable in amount and were necessary for the effective and efficient prosecution and resolution of the litigation. In addition, I believe that the expenses are all of a type

that would normally be charged to a fee-paying client in the private legal marketplace.

4. The number of hours spent on this litigation by my firm is 229.90. A breakdown of the lodestar is provided in Exhibit A. The hourly rates for the attorneys and employees of my firm are the same and usual customary hourly rates charged for their services in similar contingent matters and the hourly rates or materially similar hourly rates have been accepted by Courts in other complex class actions. The lodestar amount for attorney/paraprofessional time based on these current rates is \$158,538.50.

5. My firm seeks an award of \$955.95 in expenses and charges in connection with the prosecution of the litigation. Those expenses and charges are summarized by category in Exhibit B.

6. The following is additional information regarding certain of these expenses:

(a) Filing, Witness and Other Fees: \$400.00. These expenses have been paid to the Court for filing fees.

(b) Transportation, Hotels & Meals: \$15.00. In connection with the prosecution of this case, the firm has paid for travel expenses to, among other things, attend court hearings.

(c) Photocopies: \$504.14. In connection with this case, the firm made 3,361 in-house black and white copies, charging \$0.15 per copy for a total of \$504.15. Each time an in-house copy machine is used, our billing system requires that a case or administrative billing code be entered and that is how the 3,361 copies were identified as related to this case.

(d) Online Legal and Financial Research: \$19.17. This category includes vendors such as Westlaw. These resources were used to obtain access to legal research and for cite checking of briefs. This expense represents the expense incurred by The Miller Law Firm, P.C. for use of these services in connection with this litigation. The charges for these vendors vary depending upon the type of services requested.

7. The expenses pertaining to this case are reflected in the books and records of this firm. These books and records are prepared from receipts, expense vouchers, check records and other documents and are an accurate record of the expenses.

8. The identification and background of my firm and its partners is attached hereto as Exhibit C.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 16th day of July, 2019, at Rochester, Michigan.

Respectfully submitted,

A handwritten signature in blue ink that reads "Sharon S. Almonrode". The signature is written in a cursive style with a horizontal line underneath.

Sharon S. Almonrode (P33938)

The Miller Law Firm, P.C.

950 W. University Drive, Suite 300

Rochester, MI 48307

ssa@millerlawpc.com

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on July 16, 2019, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses on the attached Electronic Mail Notice List, and I hereby certify that I caused the mailing of the foregoing via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

s/ MATTHEW I. ALPERT

MATTHEW I. ALPERT

ROBBINS GELLER RUDMAN
& DOWD LLP

655 West Broadway, Suite 1900

San Diego, CA 92101-8498

Telephone: 619/231-1058

619/231-7423 (fax)

E-mail: MAlpert@rgrdlaw.com

Mailing Information for a Case 2:16-cv-14005-AC-SDD Zimmerman v. Diplomat Pharmacy, Inc. et al

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Sharon S. Almonrode**
ssa@millerlawpc.com,djv@ecf.courtdrive.com,djv@millerlawpc.com,ssa@ecf.courtdrive.com,sab@miller.law,sab@ecf.courtdrive.com
- **Matthew I. Alpert**
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- **Joshua L. Crowell**
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- **James W. Ducayet**
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- **Jonah H. Goldstein**
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ngorga@honigman.com,litdocket@honigman.com,cwalmsley@honigman.com
- **Ellen Anne Gusikoff Stewart**
elleng@rgrdlaw.com
- **Thomas C. Michaud**
tmichaud@vmtlaw.com
- **E. Powell Miller**
epm@millerlawpc.com,aad@miller.law,aad@ecf.courtdrive.com,sab@miller.law,sab@ecf.courtdrive.com
- **Andrew M. Pauwels**
apauwels@honigman.com,litdocket@honigman.com,ahatcher@honigman.com
- **Alexi Harry Pfeffer-Gillett**
agillett@rgrdlaw.com
- **Nilofer I. Umar**
numar@sidley.com,efilingnotice@sidley.com,nilofer-umar-6698@ecf.pacerpro.com,dgeiger@sidley.com

Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAVID N. ZIMMERMAN,)	Civ. No. 2:16-cv-14005-AC-SDD
Individually and on Behalf of All Others)	
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vs.)	INDEX OF EXHIBITS TO
)	DECLARATION OF SHARON S.
DIPLOMAT PHARMACY, INC., et al.,)	ALMONRODE FILED ON BEHALF
)	OF THE MILLER LAW FIRM, P.C. IN
Defendants.)	SUPPORT OF APPLICATION FOR
_____)	AWARD OF ATTORNEYS' FEES
)	AND EXPENSES

<u>Identifier</u>	<u>Title</u>
Exhibit A:	Lodestar Report
Exhibit B:	Expense Report
Exhibit C:	Firm Resume

EXHIBIT A

EXHIBIT A

David N. Zimmerman v. Diplomat Pharmacy, Inc., et al.,
Civ. No. 2:16-cv-14005-AC-SDD (E.D. Mich.)
The Miller Law Firm, P.C.
Inception through July 12, 2019

<i>NAME</i>		<i>HOURS</i>	<i>RATE</i>	<i>LODESTAR</i>
E. Powell Miller	(P)	43.30	\$890.00	\$38,537.00
Sharon S. Almonrode	(P)	98.60	\$795.00	\$78,387.00
Marc L. Newman	(P)	8.10	\$750.00	\$6,075.00
Devon P. Allard	(P)	29.30	\$650.00	\$19,045.00
William Kalas	(A)	1.30	\$350.00	\$455.00
Dennis A. Lienhardt	(A)	25.40	\$395.00	\$10,033.00
Rick L. Merpi	(A)	.50	\$495.00	\$247.50
Mariell R. McLatcher	(A)	4.30	\$475.00	\$2,042.50
Kristen Guralczyk	(A)	3.40	\$285.00	\$969.00
Paralegals				
Danelle J. Vanderbeke		15.70	\$175.00	\$2,747.50
<i>TOTAL</i>		<i>229.90</i>		<i>\$158,538.50</i>

(P) Partner

(A) Associate

EXHIBIT B

EXHIBIT B

David N. Zimmerman v. Diplomat Pharmacy, Inc., et al.,
 Civ. No. 2:16-cv-14005-AC-SDD (E.D. Mich.)
 The Miller Law Firm, P.C.
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<i>CATEGORY</i>		<i>AMOUNT</i>
Filing, Witness and Other Fees		\$400.00
Transportation, Hotels & Meals		\$15.00
Postage		\$9.21
Messenger, Overnight Delivery		\$8.42
In-House Black and White Copies: (3,361 copies at \$0.15 per page)		\$504.15
Online Legal and Financial Research		\$19.17
<i>TOTAL</i>		<i>\$955.95</i>

EXHIBIT C

THE MILLER LAW FIRM

A Professional Corporation

**950 W. University Dr., Ste. 300
Rochester, MI 48307
(248) 841-2200**

www.millerlawpc.com

THE MILLER LAW FIRM, P.C. | FIRM RESUME

The Miller Law Firm, P.C. (the “Firm”) is one of the premier litigation law firms in the United States and Michigan’s leading financial class action firm. A recognized leader in the area of complex commercial litigation, the Firm is ranked Tier 1 in Detroit by *U.S. News- Best Lawyers* “Best Law Firms” for commercial litigation. Since the Firm’s founding in 1996, the Firm has developed a national reputation for successfully prosecuting securities fraud and consumer class actions on behalf of its clients. As Lead Counsel or Co-Lead Counsel appointed by judges throughout the United States in some of the country’s largest and most complex cases, the Firm has achieved over \$3 billion in settlements, recoveries and/or verdicts on behalf of injured class members.

Highlights of Results Obtained

2017 In re Freight Forwarders Antitrust Litigation
(United States District Court, Eastern District of New York)
(Case No. 08-cv-00042) (Counsel for Class Representative)

Result: \$384 million settlement amount

Foster v. L3 Communications, EO Tech
(United States District Court, Western District of Missouri)
(Case No. 15-cv-03519) (Co-Lead Counsel)

Result: \$51 million (100% recovery)

2016 In re Automotive Parts Antitrust Litigation
(United States District Court, Eastern District of Michigan)
(Case No. 12-md-02311) (Liaison Counsel)

Result: Over \$1 billion in settlements

GM Securities Class Action/New York Teachers Retirement System v.
General Motors Company
(United States District Court, Eastern District of Michigan)
(Case No. 4:14-cv-11191) (Local Counsel)

Result: \$300 million settlement

Pat Cason-Merenda and Jeffrey A. Suhre v. VHS of Michigan, Inc., dba
Detroit Medical Center (Antitrust)
(United States District Court, Eastern District of Michigan)
(Case No. 2:06-cv-15601) (Special Trial Counsel)

Result: \$42 million settlement

ERISA Class Action/Davidson v. Henkel Corporation
(United States District Court, Eastern District of Michigan)
(Case No. 12-cv-14103) (Lead Counsel)

Result: \$3.35 million settlement (100% Recovery for 41 member class)

2015 In re AIG 2008 Securities Litigation
(United States District Court, Southern District of New York)
(Case No. 08-cv-04772) (Co-Lead Counsel)

Result: \$970.5 million settlement

City of Farmington Hills Employees Retirement System v. Wells Fargo Bank,
N.A.
(United States District Court, District of Minnesota)
(Case No. 10-cv-04372) (Co-Lead Counsel)

Result: \$62.5 million settlement approved

2014 In re Refrigerant Compressors Antitrust Litigation
(United States District Court, Eastern District of Michigan)
(Case No. 09-md-02042) (Interim Co-Lead)

Result: \$30,000,000 settlement

2013 The Board of Trustees of the City of Birmingham Employees et. al.
v. Comerica Bank et. al.
(United States District Court, Eastern District of Michigan)
(Case No. 2:09-13201) (Co-Lead Counsel)

Result: \$11,000,000 settlement

2013 In Re Caraco Pharmaceutical Laboratories, Ltd. Securities Litigation
(United States District Court, Eastern District of Michigan)
(Case No. 2:09-cv-12830) (Co-Lead Counsel for the Class)

Result: \$2,975,000 settlement

2013 In Re TechTeam Global Inc. Shareholder Litigation
(Oakland County Circuit Court, State of Michigan)
(Case No. 10-114863-CB) (Liaison Counsel)

Result: \$1,775,000 settlement

General Retirement System of the City of Detroit and Police and Fire Retirement System of the City of Detroit vs. UBS Securities, LLC (Structured Investment Vehicle)

(United States District Court, Eastern District of Michigan)
(Case No. 2:10-cv-13920) (Lead Counsel)

Result: Confidential settlement

2010 Epstein, et al v. Heartland Industrial Partners, L.P., et al
(United States District Court, Eastern District of Michigan)
(Case No. 2:06-CV-13555) (Substantial role)

Result: \$12,262,500 settlement

2010 In Re Skilled Healthcare Group, Inc. Securities Litigation
(United States District Court, Central District of California)
(Case No. 09-5416) (Substantial role)

Result: \$3,000,000 settlement

2009 In Re Proquest Company Securities Litigation
(United States District Court, Eastern District of Michigan)
(Case No. 4:06-CV-11579) (Substantial role; argued Motion to Dismiss)

Result: \$20,000,000 settlement

2009 In Re Collins & Aikman Corporation Securities Litigation
(United States District Court, Eastern District Michigan)
(Case No. 03-CV-71173) (Substantial role)

Result: \$10,800,000 settlement

2009 In re IT Group Securities Litigation
(United States District Court, Western District of Pennsylvania)
(Civil Action No. 03-288) (Co-Lead Counsel)

Result: \$3,400,000 settlement

- 2008 In re Mercury Interactive Securities Litigation
(United States District Court, Northern District of California)
(Civil Action No. 03:05-CV-3395-JF) (Substantial role)
- Result: \$117,000,000 settlement
- 2008 In Re General Motors Corporation Securities and Derivative Litigation
(United States District Court, Eastern District of Michigan)
(Master Case No. 06-MD-1749) (Co-Lead)
- Status: Obtained major corporate governance reforms to address accounting deficiencies
- 2007 Wong v T-Mobile USA, Inc.
(United States District Court, Eastern District of Michigan)
(Case No. 05-CV-73922) (Co-Lead)
- Result: Settlement for 100% of damages.
- 2007 In re CMS Energy Corporation Securities Litigation
(United States District Court, Eastern District Michigan)
(Master File No. 2:02 CV 72004) (Substantial role)
- Result: \$200,000,000 settlement
- 2005 In re Comerica Securities Fraud Litigation
(United States District Court, Eastern District of Michigan)
(Case No. 2:02-CV-60233) (Substantial role)
- Result: \$21,000,000, divided between related cases at \$15,000,000 and \$6,000,000
- 2005 Street v Siemens
(Philadelphia State Court)
(Case No. 03-885) (Co-Lead)
- Result: \$14,400,000, including 100% recovery for more than 1,000 workers wrongfully deprived of pay.

- 2005 Redmer v Tournament Players Club of Michigan
(Wayne County Circuit Court) (Case No. 02-224481-CK) (Co-Lead)
- Result: \$3,100,000 settlement
- 2004 Passucci v Airtouch Communications, Inc.
(Wayne County Circuit Court) (Case No. 01-131048-CP) (Co-Lead)
- Result: Estimated settlement valued between: \$30,900,000 to \$40,300,000.
- 2004 Johnson v National Western Life Insurance
(Oakland County Circuit Court)
(Case No. 01-032012-CP) (Substantial role)
- Result: \$10,700,000 settlement on behalf of nation-wide class of purchasers of annuities.
- 2003 Felts v Starlight
(United States District Court, Eastern District Michigan)
(Case No. 01-71539) (Co-Lead)
- Result: Starlight agrees to stop selling ephedrine as an ingredient in its weight loss dietary supplement product.
- 2003 In re Lason Securities Litigation
(United States District Court, Eastern District Michigan)
(Case No. 99-CV-76079) (Co-Lead)
- Result: \$12,680,000 settlement
- 2001 Mario Gasperoni, et al v Metabolife International, Inc.
(United States District Court, Eastern District Michigan)
(Case No. 00-71255) (Co-Lead)
- Result: Nationwide settlement approved mandating changes in advertising and labeling on millions of bottles of dietary supplement, plus approximately \$8,500,000 in benefits.
- 1999 Pop v Art Van Furniture and Alexander Hamilton Insurance Company
(Wayne County Circuit Court)(Case No. 97-722003-CP) (Co-Lead)
- Result: Changes in sales practices and \$9,000,000 in merchandise.

1999 Schroff v Bombardier
(United States District Court, Eastern District Michigan)
(Case No. 99-70327) (Co-Lead)

Result: Recall of more than 20,000 defective Seadoos throughout North America; repair of defect to reduce water ingestion problem; extended warranties; and approximately \$4,000,000 in merchandise.

1999 In re National Techtteam Securities Litigation
(United States District Court, Eastern District Michigan)
(Master File No. 97-74587) (Substantial role)

Result: \$11,000,000 settlement

1999 In Re F&M Distributors, Inc., Securities Litigation
(United States District Court, Eastern District Michigan)
(Case No. 95-CV-71778-DT) (Minor role)

Result: \$20,000,000 settlement

1998 In Re Michigan National Corporation Securities Litigation
(United States District Court, Eastern District Michigan)
(Case No 95 CV 70647 DT) (Substantial role)

Result: \$13,300,000 settlement

1995 In re Intel Pentium Processor Litigation
(Superior Court, Santa Clara County, California)(Master File No. 745729)
(Substantial role)

Result: Intel agreed to replace millions of defective Pentium chips on demand without any cost to consumers.

THE MILLER LAW FIRM

A PROFESSIONAL CORPORATION

WWW.MILLER.LAW

950 WEST UNIVERSITY DR. SUITE 300
ROCHESTER, MI 48307
248-841-2200



E. POWELL MILLER, CEO

✉ EPM@millerlawpc.com

E. Powell Miller has been named one of the Top 10 lawyers in Michigan for six consecutive years, from 2009-2018, by Super Lawyers Magazine, and in 2010, he was the sole recipient of the Best Lawyers - Lawyer of the Year in the category of Bet-The-Company Litigation – Detroit Area for 2010. He was also named Best Lawyers – Lawyer of the Year in the category of Bet-The-Company Litigation – Detroit Area for 2016, in the category of Securities Litigation in 2017, and in the category of Antitrust Litigation in 2019. Previously, he was recognized as one of the Top 100 lawyers in Michigan in 2006, 2007, and 2008, and he has been named as one of the Best Lawyers in America every year since 2005. Mr. Miller has earned Martindale-Hubbell’s highest rating, AV[®] Preeminent[™] 5/5.0 for legal ethics and ability a 10/10 from AVVO a public rating system and is ranked as only one of ten in Michigan in the top ten by Chairman USA.

Mr. Miller focuses his practice on all aspects of litigation. He has been retained by many Fortune 500 and other clients to represent them in litigation throughout the United States, including in Michigan, New York, New Jersey, Pennsylvania, Arkansas, Florida, Texas, Kentucky, Ohio, California, Colorado and Indiana.

Mr. Miller recently won a trial in a high profile, multi-million dollar lawsuit on behalf of a Fortune 100 automotive supplier. In fact, he has never lost a trial – with eleven consecutive victories, including verdicts in excess of \$5 million, \$10 million and \$23 million. Mr. Miller has also obtained in excess of \$1 billion in settlements over the last few years. These settlements are regularly among the top two or three in Michigan each year.

Mr. Miller currently serves on the Executive Committee for the Wayne State University Law School Board of Visitors and has served a Co-Chair of the American Bar Association Procedures Subcommittee on class actions and multi-district litigation. He lectures regularly on securities litigation at the University of Michigan School Of Law. He has also served as an Adjunct Professor at the University of Detroit Law School teaching trial practice. In addition, Mr. Miller regularly speaks at continuing legal education seminars on securities fraud class actions. Mr. Miller also serves as a Master member of The Oakland County Bar Association Inns of Court.

Mr. Miller graduated third in his class from Wayne State University Law School, magna cum laude, in 1986. He was named to the honor society, Order of the Coif and he was an Editor of the Wayne Law Review. In 1986, Mr. Miller joined the Detroit law firm of Honigman Miller Schwartz and Cohn, where he was elected partner in 1990. In 1994, he formed his own firm.

Mr. Miller has been recognized as a top debater in the United States. He won first place at the Harvard University National Debate Tournament as a freshman at Georgetown University. He also represented Georgetown in a special international debating exhibition against the Oxford Debating Union of Great Britain.

Mr. Miller is a proud supporter of the Detroit Urban Debate League, a nonprofit that supports the creation of debate programs in under-served high schools; the University of Detroit Jesuit High School and Academy; The Joe Niekro Foundation, which is committed to aiding in the research and treatment of aneurysm patients and families; and Charlotte’s Wings, a nonprofit that is dedicated to supporting ailing children in Southeast Michigan through donations of new books to the children and their families in hospital and hospice care.

Georgetown University, B.A., 1983

Wayne State University Law School, J.D., 1986

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SHARON S. ALMONRODE, PARTNER

✉ SSA@millerlawpc.com

Sharon S. Almonrode is a senior litigation attorney and partner at The Miller Law Firm. She has a complex litigation practice with an emphasis on prosecuting large, high-risk, significant damage exposure cases on behalf of public institutional funds. Her practice includes ERISA and pension fund litigation, financial services and commercial litigation, including professional liability and actuarial malpractice, and employment class action law. She has also represented commercial clients in products liability and patent and trademark related litigation. She has successfully represented clients in multi-million dollar cases, including the successful resolution of an actuarial claim for \$110 million dollars.

A former Labor Relations Investigator, Personnel/Human Resources Representative and Administrator for two General Motors plants, Ms. Almonrode had several years of front-line experience overseeing benefit programs and employment law issues including EEOC actions and discrimination charges. She also negotiated labor contracts, grievances, and employee disputes.

Ms. Almonrode was named a Michigan Super Lawyer every year since 2011. In 2013, 2014, 2015, 2016, 2017, and 2018, she was named to the Top 50 Women Super Lawyers List. In 2014, 2015, 2016, 2017, and 2018, she was named one of the top 100 lawyers in Michigan. She received the special distinction of a Michigan Leader in the Law, awarded by Michigan Lawyers Weekly in 2010. In 2014 and 2015 she was named one of the top 25 consumer lawyers in Michigan. In 2016 she was named one of the top 5 consumer lawyers in Michigan by Super Lawyers. Ms. Almonrode has earned Martindale-Hubbell's highest rating, AV® -Preeminent™ 5/5.0, for legal ethics and ability. She has also been named a top litigator by dbusiness for 2015 and 2016.

Ms. Almonrode was admitted to practice in the State of Michigan in 1982. She is also admitted to practice in the U.S. District Court Eastern District of Michigan, U.S. District Court Western District of Michigan, U.S. Bankruptcy Court Eastern District of Michigan, U.S. Bankruptcy Court Western District of Michigan, U.S. District Court – Northern District of Illinois, U.S. Court of Appeals 6th Circuit, the State of New York, the U.S. District Court for Southern District of New York, the U.S. District Court for the Eastern District of New York, the U.S. Court of Appeals 2nd Circuit, and the U.S. Supreme Court.

Ms. Almonrode is a member of the State Bar of Michigan, American Bar Association Member (Committee Member: Business Torts, Commercial Litigation, Securities Litigation, and Class Actions and Derivative Suits), Federal Bar Association Member, Oakland County Bar Association Member, and International Foundation of Employee Benefit Plans (IFEBP).

Before joining The Miller Law Firm, P.C. in 2012, Ms. Almonrode was a Partner at Sullivan, Ward, Asher & Patton, P.C., and Supervisor-Salaried Personnel at General Motors Corp.

Ms. Almonrode's pro bono activities include working with the Detroit Institute of Arts and the Detroit Film Theatre Board.

Oakland University, B.S., 1978

University of Detroit Mercy School of Law, J.D. 1981

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248-841-2200



MARC L. NEWMAN, PARTNER

✉ MLN@millerlawpc.com

Marc L. Newman was named as one of the Top 100 Attorneys in Michigan every year from 2008-2015 by Super Lawyers Magazine. Since 2013, Mr. Newman has been named one of the Best Lawyers in America. Mr. Newman has earned Martindale-Hubbell's highest rating, AV[®] Preeminent[™] 5/5.0 for legal ethics and ability.

Mr. Newman concentrates his practice on complex business litigation of all types, including contract cases, automotive supply chain disputes, shareholder and partnership litigation and real estate litigation. He also focuses on securities fraud and shareholder derivative cases.

Marc has successfully tried numerous trials in both state and federal courts, and has litigated cases throughout Michigan, New York, Arkansas, Colorado, Georgia, and Tennessee. In negotiating settlements, Mr. Newman has obtained exceptional results, including several multi-million dollar settlements in favor of his clients. One of his trials was featured in the "Article of the Week" in 2006 in the Michigan Lawyers Weekly for his defense of a client which he obtained the involuntary dismissal of the plaintiff's lawsuit and sanctions against the plaintiff in the amount of \$750,000, by demonstrating that the plaintiff and a material witness conspired to commit perjury. His cases are routinely featured in the Michigan Lawyers Weekly among the top settlements in Michigan.

Mr. Newman graduated from the University of Michigan Law School in 1994. He is a 1991 graduate of Michigan State University's James Madison College.

Mr. Newman has co-authored several articles in the Michigan Bar Journal, including *Still Keeping The Faith: The Duty of Good Faith*, 76 Mich B.J. 1190 (Nov. 1997), dealing with various issues in contract law. He is a Fellow of the Oakland County Bar Foundation, and he regularly serves as a judge at the University of Michigan Law School Henry M. Campbell Moot Court Competition.

**Michigan State University, B.A., 1991
(James Madison College)**

University of Michigan Law School, J.D., 1994



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ANN L. MILLER, PARTNER

✉ ALM@millerlawpc.com

Ann L. Miller is a partner at The Miller Law Firm. Ms. Miller has been recognized as a Michigan Super Lawyer by Super Lawyer Magazine in 2015, 2014 and 2013. She graduated, magna cum laude, from Wayne State University Law School in 1989. Ms. Miller graduated fifth in her class and was named to the honor society, Order of the Coif. Ms. Miller received a Gold Key Award for maintaining a perfect 4.0 grade point average in the 1987-1988 academic years. She also earned American Jurisprudence Awards for attaining the highest grade in the following courses: Torts,

Constitutional Law, and Conflicts of Law.

After law school, Ms. Miller worked as a pre-hearing attorney at the Michigan Court of Appeals and then as an attorney specializing in labor-employment law and employment discrimination. Ms. Miller has co-authored several articles that have appeared in the Michigan Bar Journal and other publications.

Ms. Miller concentrates her practice on all types of business and commercial litigation, including labor-employment law, employment discrimination and overtime and minimum wage issues under the Fair Labor Standards Act.

University of Michigan, BA, 1986

Wayne State University, JD, 1989

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MARTHA J. OLJNYK, PARTNER

✉ MJO@millerlawpc.com

Martha J. Olijnyk focuses her efforts in the areas of business and commercial litigation of all types, including complex litigation, complex contracts, automotive supplier counseling and litigation, non-competition agreements, and shareholder and partnership disputes. She also practices in the areas of class action litigation and bankruptcy on both the creditor and debtor sides. Ms. Olijnyk has achieved excellent results at trial and arbitration, as well as in negotiating settlements. Her clients range from Fortune 500 companies to small local businesses and individuals.

In the 2009 edition of Michigan Super Lawyers magazine, Ms. Olijnyk was recognized as a Michigan Rising Star in the area of Business Litigation and was named a Michigan Super Lawyer in 2013. Super Lawyers recognized Ms. Olijnyk in 2014 and 2015, in multiple categories, naming her to the list of Michigan's Top 100 Lawyers, Top 50 Business Lawyers, Top 50 Women Lawyers, and Top 25 Women Business Lawyers. In 2014, she became a Fellow with the Oakland County Bar Foundation.

She practices in the State and Federal trial courts throughout Michigan and has argued before the Michigan Court of Appeals and the Second Circuit Court of Appeals in New York. Ms. Olijnyk is admitted to practice in Michigan, the Eastern and Western District Courts of Michigan, including the Bankruptcy Court for the Eastern District of Michigan, the Sixth Circuit Court of Appeals, and the Supreme Court of the United States.

Ms. Olijnyk graduated, cum laude, from Wayne State University Law School in 1999 where she received an Arthur F. Lederle Scholarship. She graduated, summa cum laude, from Wayne State University with a B.A. in Political Science and Economics. As an undergraduate, Ms. Olijnyk was inducted into the David Mackenzie Honor Society as well as Phi Beta Kappa and Golden Key Honor Societies. She also competed in NCAA Division-I Fencing as an undergraduate and as a law student.

Ms. Olijnyk was a co-editor of theme issues of the Michigan Bar Journal in 2000 and 2002. She is active in the Metropolitan Detroit Alumni Senate of Delta Theta Phi Law Fraternity International and she also serves on the Paint Creek Trailways Commission. Ms. Olijnyk regularly volunteers as a mock trial judge for the Michigan Center for Civic Education. Ms. Olijnyk serves as a Barrister member of The Oakland County Bar Association Americans Inns of Court. She is also on the executive board of the Rochester Bar Association.

Wayne State University, B.A., 1996

Wayne State University Law School, JD, 1999

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DAVID B. VIAR, PARTNER

✉ DBV@millerlawpc.com

David B. Viar is an experienced trial and appellant advocate in disputes involving commercial transactions, trusts and estates, contract disputes and matrimonial law. Mr. Viar has handled a broad range of business litigation, including general breach of contract claims, minority shareholder freeze-out actions, sales representative terminations and commercial real estate brokerage commission disputes. Mr. Viar has tried several police misconduct and excessive force cases in the state and federal courts all resulting in decisive victories for his clients. He also served as the Shelby Township attorney for four years where he handled complex land use, zoning and employment issues.

Mr. Viar also represents commercial property owners and managers in landlord/tenant litigation and eviction proceedings. He is regularly involved in lawsuits concerning trademark and copyright, disloyal or unfair competition, misuse of trade secrets, and terminations involving companies and their employees, distributors and representatives.

Mr. Viar was appointed to the position of Public Administrator by Attorney General Mike Cox in 2004. He has extensive experience in the areas of trust administration and probate litigation.

In addition to his litigation experience, Mr. Viar frequently counsels individuals and businesses on a wide variety of issues including business formation, employment contracts and corporate governance.

Mr. Viar has earned Martindale-Hubbell's rating BV® Distinguished™ 4.4/5.

Mr. Viar is a 1986 graduate of Hillsdale College. He graduated from the University of Detroit Law School in 1989. Mr. Viar enjoys a reputation among judges and lawyers as an aggressive advocate committed to excellence in the practice of law. Mr. Viar has also participated in the American Inns of Court and he is an active member of the Federalist Society.

Mr. Viar is the head of The Miller Law Firm, P.C.'s Family Law and Probate Departments

Hillsdale College, B.A., 1986

University of Detroit School of Law, J.D., 1989

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**RICHARD L. (TONY) BRAUN, II,
PARTNER**

✉ RLB@millerlawpc.com

Mr. Braun is a partner in the Firm. He has had a 38-year career in litigating, mediating and arbitrating business and commercial, product liability, and general tort cases. He is past chair of the State Bar ADR section and serves as a neutral mediator and arbitrator. He also serves as an adjunct professor teaching Advanced Business Mediation at the Cooley Law School. His litigation clients have included: Daimler Chrysler Corporation, Ford Motor Company, Crane Carrier Company, Tomberlin Automotive Group, Kress Corporation, U.S.

Suzuki Motor Corp., and MP Tool & Engineering, among others.

Mr. Braun has been selected by Michigan SuperLawyers, Top 100; U.S. News and World Report, The Best Lawyers in America; New York Times Top Attorneys in Michigan Selected by Peer Recognition and Achievement; Best Attorneys in Michigan selected by Peer Recognition as listed in Best Lawyers; DBusiness Top Lawyers; and Top Attorneys in Michigan as selected by peer recognition and achievement in Crain's Detroit Business; and Preeminent Highest Ratings in Martindale Hubbel for Ethical Standards and Legal Ability for 15 straight years.

• PRACTICE AREAS

- Commercial and Business Litigation
- Automotive Supplier Litigation
- Shareholder Litigation
- Product Liability and General Tort Litigation
- Alternative Dispute Resolution: Mediator and Arbitrator
- Risk Management
- Loss Prevention and Control

• PROFESSIONAL EXPERIENCE

- The Miller Law Firm, P.C., Partner: 2010 to present
- Law and Mediation Offices of Richard L. Braun: 2006 to 2010
- Dickinson Wright PLLC, Detroit, MI, Partner/Equity Member: 1991 to 2006
- Taylor and Braun P.C., Detroit, MI, Founding Member and Partner: 1981 to 1991
- Sommers Schwartz, P.C. and Tyler Canham, P.C.: 1976-1981

• DISPUTE RESOLUTION and TEACHING POSITIONS:

- Michigan State Bar ADR Section:
 - Chair: 2007- 2008

- Executive Committee: 2004 to 2008 - Treasurer: 2005 and 2006
- ADR Access Action Team Chair: 2003 to 2007

- Michigan Business Mediation Program Chair: 2004 to 2007

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RICHARD L. (TONY) BRAUN, II, PARTNER (cont'd)

- Metropolitan Detroit Bar Association ADR Section: Founding Member and Executive Committee Member
 - SCAO 40 hour Civil Mediator Training, 2001, and numerous ICLE Advanced Mediation Courses with attendant Circuit Court appointments
 - Member Wayne County Mediation Tribunal, 1990 to present
 - Adjunct Professor Cooley Law School, Oakland Campus: 2008 to present: Advanced Business Mediation
 - Adjunct Professor, Michigan State University College of Law, 2005 – 2006: Dispute Resolution: Negotiation, Mediation and Arbitration
 - Adjunct Professor, Detroit College of Law, 1981-1987: Created and presented Detroit College of Law's first Litigation and Trial Advocacy Course
-
- **ADDITIONAL PRESENTATIONS AND ADR SERVICE**
 - Presentation for 2010 Michigan Safety Conference on Interest Based Resolution of Conflicts and Disputes in Lansing, MI.
 - Engineering Society of Detroit: Michigan Green Enterprise Zone Symposium, Presentation on Conflict Resolution in the Zone: Making the Business Case for Early ADR, 2009.
 - Moderator, 2005 and 2008 ICLE Advance Negotiation and Dispute Resolution Institute, Plymouth, MI.
 - Supreme Court Administrative Office, Task Force on Proposed Revisions to Michigan ADR Court Rules, 2008.
 - Supreme Court Administrative Office, Task Force Committee on Confidentiality in Mediation, 2008.
 - Presenter, Advanced Training for Business Mediation, June 2006, sponsored by Michigan State University College of Law and State Bar ADR Section.
 - Authored articles in numerous legal and business publications on Michigan Business Mediation Program, with attendant presentations to business groups.
 - Created and presented Symposium on Risk Management for Product Liability and Environmental Exposures, Detroit, MI, May 1996.
 - Presentation for 2000 and 2001 Michigan Safety Conferences on Identifying and Containing the Safety Professional's Exposure to Liability, Lansing, MI.
 - Presentation for Lorman Educational Services on Utilizing Sound Principles of Loss Prevention to Control Costs for Manufacturers and Distributors, Troy, MI, July 2003.

Detroit College of Law, J.D., cum laude, 1976

High Point College, High Point, NC, B.A., cum laude, 1970



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KEVIN F. O'SHEA, PARTNER

✉ KFO@millerlawpc.com

Kevin F. O'Shea specializes in complex commercial litigation. Mr. O'Shea has been recognized as a one of the Top 100 Michigan Super Lawyers since from 2011 and one of the Top 50 Michigan Business Litigators since 2013. Mr. O'Shea has also been awarded Martindale-Hubbell's Pre-Eminent Attorney designation since 2011.

Mr. O'Shea graduated from Northwestern University in 1984 (Phi Beta Kappa) and attended Harvard Law School, where he served as an Editor of the Harvard Journal of Law and Public Policy, was selected as an Instructor in the Legal Research and Writing Program during his final two years, and graduated with honors in 1987. He then worked as an associate at Butzel Long in Detroit, handling complex commercial litigation, media and First Amendment cases, and insurance fraud matters, primarily in federal court.

Mr. O'Shea served as an Adjunct Professor at the University of Detroit School of Law teaching First Amendment law. He joined Ufer & Spaniola, P.C. in Bloomfield Hills in 1994, where he personally managed and supervised a wide variety of commercial litigation.

Mr. O'Shea published and edited a national legal reporter on First Amendment law, authored a series of articles on First Amendment law for the University of Notre Dame Law Review, and is active on a number of nonprofit Boards. Kevin also wrote a monthly magazine column on fathering, founded a nonprofit organization promoting active fatherhood, and authored an award-winning parenting book. In 2005 he started a company providing prepackaged medications for children away from home at school and summer programs that now serves clients in dozens of states.

Mr. O'Shea has tried cases in a variety of federal and state courts and argued cases in the Michigan Court of Appeals and the United States Court of Appeals for the Sixth Circuit, where he led a pro bono team that prevailed in a precedent-setting case involving the First Amendment, public speech, and handicap discrimination laws. In 2015 he won a \$16.5 million arbitration award, the largest in an employment case in Michigan history. Mr. O'Shea serves as a mediator for the U.S. District Court for the Eastern District of Michigan.

Mr. O'Shea is Chairman of the Board of the Detroit Urban Debate League, a nonprofit organization that supports the creation of debate programs in under-served high schools and serves as a member of the National Board of Directors of the Third Path Institute, a nonprofit organization that promotes work-family balance. Mr. O'Shea is also an active member of the Harvard Law School Alumni Association and recently completed a three-year term on the Oakland County Friend of the Court Advisory Committee.

Northwestern University, 1984

Harvard Law School, 1987

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MELVIN “BUTCH” HOLLOWELL, PARTNER

✉ MBH@MillerLawPC.com



Melvin Butch Hollowell serves as Managing Partner of The Miller Law Firm Detroit where he oversees the firm’s practice at its new downtown Detroit location. Hollowell specializes in complex commercial litigation and class action matters, municipal law, election law, corporate transactions and civil rights.

Hollowell is recognized by his peers in Michigan and at the national level as being at the top of the profession. He was elected as a “Fellow” of the Michigan State Bar Foundation, a recognition reserved for the top five percent of Michigan lawyers. He was selected by Michigan Lawyers Weekly as a “Leader in the Law,” one of the most select and prestigious recognitions in the state’s legal profession. Hollowell is a recipient of the Wolverine Bar Association’s “President’s Award,” the highest honor that

can be bestowed by the organization. Hollowell received the AV Preeminent Rating by Martindale-Hubbell, the “Highest possible rating in both legal ability and ethical standards, through a strenuous Peer Review Rating process which evaluates lawyers in the United States and Canada.” He is a Life Member of the Judicial Conference of the U.S. Court of Appeals for the Sixth Circuit. Hollowell has served on the National N.A.A.C.P. Legal Committee by appointment of the Association’s Chair. He is a recipient of the “Exemplary Service” award, presented by his colleagues in the City of Detroit’s Office of the Corporation Counsel. At the end of his four-year tenure as the City of Detroit’s Corporation Counsel, the Detroit City Council presented Hollowell with its highest recognition, the “Testimonial Resolution.”

In private practice, Hollowell was retained by The Miller Law Firm to handle a significant federal class action matter: *Davidson v. Henkel of America, Inc.*, (2:12-cv-14103-LPZ-DRG) involving the loss of retirement pay sustained by the class through defendant’s failure to take advantage of available favorable tax treatment for applicable company retirees in its deferred compensation plan. Hollowell prevailed in the matter winning a 100% recovery for the class.

Immediately prior to his association with The Miller Law Firm, Hollowell completed a four-year term as Corporation Counsel of the City of Detroit, the City’s chief legal officer. He was appointed to the position by Detroit Mayor Mike Duggan, unanimously confirmed by the Detroit City Council, and sworn-in to office in January 2014. During this transformative period in the life of the City, he assumed the role of Director of the City’s 70-attorney Law Department and was lead counsel to the Mayor, City Council, City Clerk, Police and Fire Departments, and all City departments, boards, commissions and agencies. In this role he also served as the City’s chief criminal prosecutor.

Among his accomplishments as Corporation Counsel were:

- Reducing litigation payouts by nearly 50%, from a historic average of \$30 million per year to \$16 million in 2016
- Led the case that ended 11 years of Department of Justice oversight of the Detroit Police Department, saving the City \$86,000 per month and establishing the DPD as a constitutional policing agency
- Managed the City’s legal process through the 2014 Chapter 9 bankruptcy proceedings
- Collected \$20 million from bankruptcy consultants for overbilling

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- Created the Commercial Blight Unit to hold property owners accountable for compliance with City standards. This unit collected over \$601, 650 in judgments from non-compliant property owners, and never lost a case
- Created the Income Tax Unit to ensure citizens and businesses in the City pay their fair share for City services. This unit has collected over \$5.3 million and never lost a case
- Created Project Clean Slate, a pioneering program in which 100 volunteer lawyers and 100 volunteer law students provide free legal representation in non-violent criminal expungements in exchange for the applicant agreeing to sign up for the City's job readiness program. The participating lawyers and law students in this project never lost a case
- Worked with the Duggan Administration and the City Council to write and implement the City's first medical marijuana ordinances which took effect March 1, 2016; and he oversaw regulation and compliance with the ordinances, alongside the Police Department and the Buildings Safety Engineering and Environmental Department, and defended the ordinances in court. The Law Department lost none of these cases

When he announced that he was stepping down from his position at City Hall to accept the position as Managing Partner, The Miller Law Firm Detroit, Mayor Duggan thanked Hollowell for his service and praised his accomplishments: "Under Butch Hollowell's leadership, not only has the city saved millions of dollars in lawsuit settlements that can be used for critical city services, his vigorous efforts to address the issues of commercial blight, illegal graffiti and illegal dumping have greatly improved the quality of life in Detroit's neighborhoods. It's no surprise The Miller Law Firm recognized Butch's outstanding abilities as a lawyer and administrator and recruited him to their team."

City Council President Brenda Jones added, "I appreciate Butch Hollowell's service to the Detroit City Council. He represented us in key legislation, cut the flow of lawsuit payouts in half and worked to ensure the best interests of the city were protected. Under Butch's leadership, excellent legal advice was provided to City Council and we wish him well in this new chapter of his life."

During his tenure at the City, he served as a board member of the Downtown Development Authority as a Mayoral appointee, where he also chaired the DDA's 4.1(c) sub-committee overseeing the award of contacts exceeding \$500,000. He served as a Commissioner of the Detroit Election Commission and as a Trustee of the City's Police and Fire Pension Board.

Hollowell was a Shareholder at Butzel Long, P.C. and at Allen Brothers PLLC, practicing commercial litigation, business transactions, and municipal and election law. He was also General Counsel of the Detroit Branch N.A.A.C.P., where he litigated voting rights, redistricting, and equal access to education matters in the federal courts, including the U.S. Supreme Court (*Schuetz v. Cantrell*, 572 U.S. ___; 134 S. Ct. 1623 (2014); Docket No. 12-682).

Hollowell served as Insurance Consumer Advocate for the State of Michigan by appointment of the Governor. Hollowell was appointed to Vice President Al Gore's litigation team in Miami (*pro hac vice*), under Kendall Coffey, during the 2000 Presidential Recount. He was the first African American Chair of the Michigan Democratic Party, and also served on the Democratic National Committee. He was elected to the Rules Committee of the 2016 Democratic National Convention. Hollowell was Treasurer for Jennifer Granholm's successful campaigns for Governor of Michigan and Michigan Attorney General.

Hollowell is a Member of the United States Supreme Court Bar, he is admitted to practice before the U.S. Court of Appeals for the Sixth Circuit, the U.S. District Court for the Eastern District of Michigan, and the courts of the State of Michigan. He is a member of the State Bar of Michigan and the American Bar Association.

Hollowell received his Juris Doctor from the University of Virginia School of Law in 1984 where he was President of the Black Law Students Association. He received his Bachelor of Arts degree from Albion

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College in 1981 where he was elected commencement speaker by his fellow classmates. He is a graduate of the University of Detroit Jesuit High School and Academy, Class of 1977.

Hollowell is active in the community, having served on the boards of the Detroit Branch N.A.A.C.P., Cass Community Social Services, the Wolverine Bar Association, Marygrove College, Albion College, Wayne State University Medical School, Detroit Music Hall, the Nature Conservancy – Michigan Chapter, and the University of Detroit Jesuit High School and Academy.

Hollowell was born at Tripler Army Hospital in Honolulu, Oahu, Hawaii. He speaks Spanish, is an avid tennis player, has traveled widely, and plays acoustic guitar in a band called “the Meltones” with his son Melvin III. He has two children, Melvin III and Desiree, and two grandchildren, Jack and Allie. He lives in downtown Detroit.

Albion College, B.A., 1981

University of Virginia School of Law, J.D., 2011

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CHRISTOPHER D. KAYE, PARTNER

✉ CDK@millerlawpc.com

Christopher D. Kaye is a partner at The Miller Law Firm. He received his law degree in 2000 from the University of Michigan Law School, where he served as an Associate Editor on the Michigan Journal of International Law. He obtained his Bachelor of Arts Degree in Political Science from the University of Michigan with distinction in 1997.

Mr. Kaye was recognized by Super Lawyers Magazine as a Rising Star in 2010 and a Super Lawyer in Class Actions in 2014 and 2015.

Mr. Kaye's practice has included work on several major class action lawsuits, commercial disputes, and securities fraud litigation. He served on the trial team in *City of Farmington Hills Employees Retirement System v. Wells Fargo Bank, N.A.* in the United States District Court for Minnesota, which settled hours before jury selection with a \$62.5 million recovery for the investor class. He also performed significant work on *Board of Trustees of the City of Birmingham Employees' Ret. Sys., et al. v. Comerica Bank*, which resulted in an \$11 million class action settlement and the recognition of important protections for public employee retirees under Michigan law. Prior to joining The Miller Law Firm, Mr. Kaye served as an assistant township attorney and prosecutor, litigating multiple land use, constitutional, and taxation disputes.

He has practiced in state and federal courts throughout Michigan, and has conducted several trials as sole counsel. He has also appeared before the Michigan Tax Tribunal and advised developers seeking land use approvals from government authorities. In addition, he has handled several cases on appeal, successfully arguing before the Michigan Court of Appeals.

University of Michigan, B.A., 1997, with distinction

University of Michigan Law School, J.D., 2000

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LAWRENCE J. MURPHY, PARTNER

✉ LJM@millerlawpc.com



Mr. Murphy possesses extensive business litigation experience in state and federal courts at both the trial and appellate levels and in alternative dispute resolution proceedings, including arbitration, mediation and facilitation. His broad range of litigation experience includes class actions, contract disputes, supply-chain litigation, injunction proceedings, computer hardware and software matters, Uniform Commercial Code cases, business torts, bankruptcy adversary proceedings, products liability defense, warranty claims, sales commission disputes and wrongful death/personal injury defense. Mr. Murphy has substantial experience representing original equipment manufacturers (OEMs) and suppliers in a wide variety of supply contract matters, recalls and warranty claims, claim-and-delivery actions, tooling and mold lien disputes, and other commercial matters.

BAR ADMISSIONS

- Michigan

COURT ADMISSIONS

- U.S. Court of Appeals for the Sixth Circuit
- U.S. District Court for the Eastern District of Michigan
- U.S. District Court for the Northern District of Ohio

PROFESSIONAL AFFILIATIONS

- State Bar of Michigan
- Federal Bar Association
- Oakland County Bar Association
- Counsel to Motor & Equipment Remanufacturers Association Sales and Marketing Council

EXPERIENCE

Automotive and Manufacturing

- Represented OEM and supplier clients in a wide variety of disputes, including claim-and-delivery actions, tooling and mold lien disputes, supply contract disputes, recalls and warranty claims
- Selected to lead litigation team defending dozens of arbitrations in multi-state proceedings filed by terminated franchisees. Through effective use of Legal Project Management, client benefited from the cases being completed under the client's budget established for the matters.
- Successfully protected manufacturer's just-in-time parts supply in multiple significant supply-chain disputes, including through the effective use of TROs and preliminary injunctions
- Obtained summary judgment establishing liability of a vehicle hauler in a multi-million dollar breach of contract claim brought by a manufacturer
- Obtained a favorable outcome for a tooling manufacturer and an assembly company in a suit brought by a specialty vehicle manufacturer
- Defended parts manufacturer in claims alleging liability for warranty costs associated with a customer satisfaction recall
- Represented manufacturer in favorable resolution of a WARN Act claim arising from plant closure

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- Defended a variety of manufacturers from sales commission disputes brought under the Michigan Sales Representative Act

Bankruptcy

- Advised clients in adversary proceedings involving preference actions, fraudulent conveyance claims, and setoff and recoupment rights
- Represented judgment creditor in successful opposition to discharge of judgment in Chapter 7 proceeding

Business Torts

- Represented corporation in successful tortious interference claim arising from breach of a distributorship agreement
- Advised individuals and corporation in defense of a complex fraudulent conveyance action arising from a corporate dissolution and transfer of assets

Class Action Defense

- Defended clients from property and personal injury claims arising from alleged emissions and contaminations from their business operations
- Counseled manufacturer in defense of potential class action by customers arising from alleged misrepresentations and product defects

Contracts

- Represented Fortune 500 company in successful defense of breach of contract and warranty claims arising from the sale of unique computer hardware/software system
- Obtained dismissal of suit alleging breach of joint venture agreement concerning resale of industrial machinery
- Represented leasing company in successful claim and delivery action to recover assets
- Prosecuted and defended noncompete and trade secret claims on behalf of corporations and individuals

Products Liability

- Counseled silica supplier in defense of wrongful death products liability action allegedly arising from exposure to company's product
- Advised owner of industrial vehicles in injury/death suits arising from alleged product defects

Wrongful Death

- Obtained dismissal of two multi-million dollar civil suits seeking to avoid application of Workers Disability Compensation Act and to recover directly against the employer

HONORS

- *The Best Lawyers in America*, 2011-2016
- *Michigan Super Lawyers*, 2013-2016
- *DBusiness*, Top Lawyers, 2010-2012, 2014 and 2015
- Martindale-Hubbell AV® Preeminent™ Peer Review Rated

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University of Michigan, B.A. English (with distinction), 1989

Wayne State University Law School, J.D., 1992



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DEVON P. ALLARD, PARTNER

✉ DPA@millerlawpc.com

Devon P. Allard is a Partner at The Miller Law Firm. He concentrates his practice on litigation of all types, including contract cases, automotive and manufacturing disputes, employment issues, complex anti-trust litigation, class action cases, and creditors' rights. He has successfully represented clients in state, federal and commercial arbitration forums. In 2015, he was member of the trial team that won a \$16.5 million arbitration award, which is the largest award in an employment case in Michigan history.

Mr. Allard has been recognized as one of Michigan's "Rising Stars" by Super Lawyers Magazine, an attorney peer review survey several times, including the last seven consecutive years.

Mr. Allard received his law degree from the University of Detroit Mercy School of Law in 2007. During law school, he was a Title Editor of the University of Detroit Mercy Law Review. Mr. Allard received a Bachelor of Arts degree in Political Science from Michigan State University. While a student at Michigan State, he also spent a summer as a Congressional Intern for U.S. Representative Nick Smith in Washington, D.C.

Mr. Allard is a member of the State Bar of Michigan, the U.S. District Court for the Eastern District of Michigan, and the Oakland County Bar Association.

Michigan State University, B.A., 2002

University of Detroit Mercy School of Law, J.D., 2007

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EMILY E. HUGHES, PARTNER

✉ EEH@millerlawpc.com

Emily E. Hughes is a partner at The Miller Law Firm. Ms. Hughes concentrates her practice in complex commercial, bankruptcy adversary and ERISA litigation.

Ms. Hughes routinely litigates complex commercial and business disputes, including cases involving breach of non-competition and non-solicitation agreements, shareholder oppression, fraudulent transfer claims and intellectual property disputes involving music royalties. Ms. Hughes has defended against U.S. Securities and Exchange Commission investigations and a U.S. Securities and Exchange Commission municipal securities enforcement action. She also has substantial experience with eDiscovery.

In 2015, Ms. Hughes was a member of the litigation team which obtained summary judgment on liability on behalf of a certified class of retirees against the Henkel Corporation in the United States District Court, Eastern District of Michigan for claims brought under the civil enforcement provisions of ERISA. *See Davidson v. Henkel Corp.*, No. 12-cv-14103.

Ms. Hughes has been recognized as a “Rising Star” in Michigan Super Lawyers in the area of General Litigation for 2010-2014.

Ms. Hughes graduated cum laude from the University of Illinois College of Law in 2005, where she was nominated for the Rickert Award for Excellence in Trial Advocacy. She began her law school career at Syracuse University College of Law, where she received an award for Best Oralist in Appellate Advocacy in her legal writing section. Ms. Hughes received her Bachelor of Arts Degree in Political Science from the University of Michigan in 2001.

Prior to joining The Miller Law Firm, Ms. Hughes served as in-house counsel for a large labor organization from 2005 until 2007, where she conducted numerous arbitrations, handled matters involving the National Labor Relations Board, and conducted several training seminars on a variety of labor-management issues.

Ms. Hughes is admitted to practice in Michigan, the U.S. District Court of the Eastern District of Michigan and the Bankruptcy Court of the Eastern District of Michigan. She is currently a member of the Women Lawyers Association of Michigan.

University of Michigan, B.A., 2001

University of Illinois College of Law, J.D., 2005, *cum laude*

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SETH D. GOULD, PARTNER

✉ SDG@millerlawpc.com

Seth D. Gould has over 25 years of experience successfully representing clients in complex business litigation cases of all types, including automotive supply chain disputes, bankruptcy proceedings, contract cases, shareholder disputes and securities litigation.

Seth has tried numerous cases to judges and juries in federal and state courts throughout Michigan, and has successfully represented clients in jurisdictions outside of Michigan such as Illinois, Indiana, Ohio, Iowa, Wisconsin, and New York.

Mr. Gould is recognized by his peers in Michigan Super Lawyers as one of the premier business litigation attorneys in Michigan. Mr. Gould has earned Martindale-Hubbell's highest rating, AV, for his legal ability and ethical standards. As Fellow of the Litigation Counsel of America, Mr. Gould is an invitation-only member of the trial lawyer honorary society. Membership is limited to 3,500 Fellows, representing less than one-half of one percent of American lawyers. The composition of the LCA is aggressively diverse, with recognition of excellence among American litigation and trial counsel across all segments of the bar.

Seth Gould graduated from the University of Michigan in 1987 with a Bachelor of Science in Industrial and Operations Engineering. He is a 1991 graduate of Wayne State Law School, *magna cum laude* and Order of the Coif (top 10% of his class), where he was Assistant Editor of the Wayne Law Review.

Mr. Gould also is an accomplished legal scholar and author. Mr. Gould has authored: "A Breach of Contract is Only a Breach of Contract: Defending Against Fraud, Negligence and Other Claims," Michigan Bar Journal, Vol. 76, No. 11, November 1999; "Responding to Credit Inquiries in a Troubled Loan Situation," The Secured Lender, Vol. 53, No. 1, Jan./Feb. 1998; "Conflicting Approaches to Recovery of Pre-Payment Premiums Under 506 (b)," American Bankruptcy Institute Journal, Vol. XVIII, No. 8, October 1997; "Unsecured Creditors' Entitlement to Post-Petition Interest in Solvent Debtor Bankruptcy: The Code's Silent Abrogation of a Pre-Code Doctrine," 37 Wayne Law Review, No. 4, Summer, 1991; "Bailment or Sale? A Suggested Analysis under the Uniform Commercial Code," Michigan Business Law Journal, Vol. 14, XIV, No. 3, 1992; and co-authored: "Defending a Preference Action," Michigan Bar Journal, July 1993, Vol. 72, No. 7, page 666.

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Ms. Dragich is an associate attorney at The Miller Law Firm, P.C. She graduated cum laude from University of Detroit Mercy School of Law in 2001. She received her Bachelor of Science degree in Packaging from Michigan State University in 1998.

During law school, Ms. Dragich participated as a Moot Court Board Member and was a Quarter Finalist in both the Gallagher Competition in 2000 and the Professional Responsibility Competition in 2001. Ms. Dragich is a recipient of a scholarship award from the American Corporate Counsel Association. In the spring of 2001, Ms. Dragich received an award for attaining the highest grade in Secured Transactions.

Ms. Dragich was selected to participate in a teaching exchange program by the University of Detroit Mercy School of Law faculty for the Universite d'Auvergne in Clermont-Ferrand, France for the academic year, 2002-2003. Ms. Dragich prepared the curriculum and taught classes to French pre-law students, including Torts, Criminal Law, Constitutional Law and Oral Advocacy.

Ms. Dragich specializes in commercial litigation and is currently a member of the State Bar of Michigan and the American Bar Association.

Michigan State University, BA, 1998

University of Detroit Mercy School of Law, JD, 2001

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Mr. Youssef Abdallah is an Associate at The Miller Law Firm. His practice currently focuses on complex commercial and class action litigation.

Mr. Abdallah received his law degree from Wayne State University Law School in 2015, where he was an Arthur F. Lederle scholar and elected by faculty to the Order of the Coif. While at law school, he served as a judicial intern with the Honorable Judge Linda V. Parker, U.S. District Court for the Eastern District of Michigan, and as a student attorney with the Asylum and Immigration Law Clinic. He also worked as a law clerk for NORMA Group, a global market and technology leader in innovative joining-technology solutions. Mr. Abdallah received his B.A. with distinction at the University of Michigan-Dearborn, where he was elected the student body

vice president.

Prior to the practice of law, Mr. Abdallah gained considerable real estate experience as a licensed realtor. He also served as a community liaison in the Michigan House of Representatives for former State Representative Phil Cavanagh.

Mr. Abdallah is admitted to practice law in the State of Michigan and U.S. District Court for the Eastern District of Michigan.

University of Michigan-Dearborn, B.A., 2012, *with Distinction*

Wayne State University Law School, J.D., 2015, *Order of the Coif*

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Rick A. Decker is an associate at The Miller Law Firm. He concentrates his practice in complex commercial litigation, automotive supplier issues, as well as class action litigation.

Mr. Decker graduated cum laude from the Thomas M. Cooley Law School in 2007. He received his Bachelor of Arts in Legal Studies from the University of Central Florida, graduating summa cum laude, in 2004. Mr. Decker is also a member of the honor society Phi Kappa Phi.

Mr. Decker has experience at the trial court and appellate court level. He completed a judicial externship in chambers at the Michigan Court of Appeals and completed a two-year term as a judicial law clerk in the 52-3 District Court of Michigan. As the managing member of a small general practice law firm, he has provided representation in general civil litigation, small business development, and criminal law; he has been successful in bench and jury trials. Before attending law school, Mr. Decker had a distinguished career in the U.S. Navy; his final military assignment was as Program Manager and Fleet Liaison at Strategic Systems Program, Flight Systems Detachment in Cape Canaveral, Florida. Mr. Decker is a member of the Veterans of Foreign Wars.

Mr. Decker is admitted to practice in Michigan and in the U.S. District Court for the Eastern District of Michigan.

University of Central Florida, B.A. summa cum laude, 2004

Thomas M. Cooley Law School, J.D., cum laude, 2007

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William Kalas is an associate at The Miller Law Firm. His practice currently focuses on complex commercial and class action litigation.

Mr. Kalas received his law degree from The University of Chicago in 2017. While in law school, he served as a judicial intern for the Honorable George Caram Steeh at the United States District Court for the Eastern District of Michigan. In addition, he was also a member of the Law School's Corporate Lab, where he had gained legal experience working

with large commercial enterprises.

Mr. Kalas received his Bachelor of Arts degree in Philosophy from Oakland University in 2014, graduating *magna cum laude*. While at Oakland, he competed with the University's ethics debate team, qualifying for a national championship. He was also selected as an Oakland University Business Scholar.

Mr. Kalas is admitted to practice law in the State of Michigan.

Oakland University. B.A., 2014

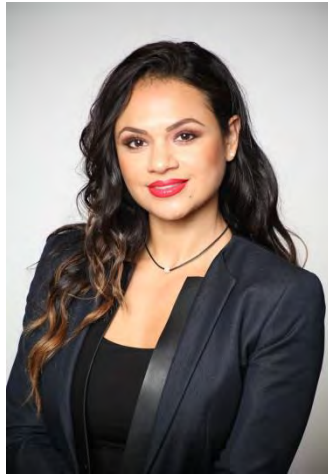
University of Chicago Law School, J.D., 2017

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Angela L. Baldwin is a litigation and transactional attorney for The Miller Law Firm Detroit where her practice focuses on complex business litigation, class action matters, municipal and regulatory law and corporate transactions. Ms. Baldwin comes to the practice with significant experience in the corporate world, as she spent eight years in senior management in the areas of supply chain and project management for Fortune 100 companies such as PepsiCo, where she managed brands such as Gatorade, Tropicana and Propel.

Immediately prior to joining The Miller Law Firm, Ms. Baldwin served as an Assistant Corporation Counsel for the City of Detroit, litigating complex commercial matters in the Federal and State courts on behalf of Mayor Mike Duggan's Administration, the Detroit City Council, Police and Fire and Transportation agencies in matters alleging constitutional violations, 28 U.S.C. Section 1983 matters, and other claims. Further, Ms. Baldwin handles cases arising out of the City of Detroit's post-Chapter 9 Bankruptcy, and adherence to the Plan of Adjustment, the requirements of the Financial Review Commission, and related matters involving the City's emergence from Receivership.

Ms. Baldwin is active in several community and professional organizations. Governor Rick Snyder recently appointed her to the State of Michigan's Hispanic Latino Commission. She was also appointed by Detroit Mayor Mike Duggan to serve on the Detroit Recreation Advisory Board. And Ms. Baldwin serves as manager for youth and non-profit participation for the 2018 Detroit NAACP Fight for Freedom Fund Dinner. Ms. Baldwin is an executive council member for the State Bar of Michigan Young Lawyers Section, the co-chair for the Federal Bar Association Eastern District Chapter's RISE Committee and a participant on the Endorsement Policy Committee of the Hispanic Bar Association of Michigan. Ms. Baldwin is also a member of the Wolverine Bar Association of Michigan and the Detroit Bar Association Inns of Court.

Ms. Baldwin earned her Juris Doctor from Michigan State College of Law where she competed nationally for MSU's National Moot Court Team. She earned her Bachelor of Arts degree from Central Michigan University where she was an active member of the Logistics Management Counsel Honor Society, a logistic consultant, and a recipient of the DaimlerChrysler Procurement and Supply Scholarship award. Ms. Baldwin is a native of Detroit, enjoys traveling, health and fitness.

Central Michigan University, BA 2005

Michigan State University College of Law, JD 2016

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Paige M. Szymanski is an associate at The Miller Law Firm. Her practice currently focuses on complex commercial and class action litigation.

Ms. Szymanski received her Master of Laws from Georgetown University Law Center in Securities and Financial Regulation in 2017. While at Georgetown, Ms. Szymanski served as a graduate intern in the Office of General Counsel at the Securities Industry and Financial Markets Association, as well as the teaching assistant for various courses, including Complex Securities Investigations and Accounting for Lawyers. Ms. Szymanski received her law degree from Michigan State University College of Law in 2016, cum laude, where she received two Jurisprudence Awards for high achievement in the Investor Advocacy Clinic. She served as the Managing Editor of Articles for the Journal of Business and Securities Law and as the Marshal for Phi Alpha Delta Law Fraternity, International. While in law school, she served as an Honors Intern at the Securities and Exchange Commission in the Office of the Investor Advocate and as a Graduate Intern at the Financial Industry Regulatory Authority in the Office of General Counsel. Ms. Szymanski received her Bachelor of Arts degree in political science from the University of Michigan in 2013 where she was an active member of Zeta Tau Alpha Fraternity. Prior to joining the firm, Ms. Szymanski gained experience as an associate at Mika Meyers PLC in general practice.

Ms. Szymanski is admitted to practice law in the State of Michigan and in the Western District of Michigan.

University of Michigan, B.A. 2013

Michigan State University College of Law, J.D. 2016

Georgetown University Law Center, Master of Laws 2017

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Steven M. Zehnder is an associate at The Miller Law Firm. His areas of practice include various complex commercial, antitrust, and securities fraud cases and class action litigation. He also has experience with personal injury litigation, collective-bargaining disputes, tenant evictions, and criminal infractions.

During law school he worked as a Casework Assistant for the Oakland County Prosecutor's Office in both the Appellate and Juvenile Divisions. Prior to law school, Mr. Zehnder clerked for the Honorable Joan E.

Young in the Family Division of the Oakland County Sixth Circuit Court.

Mr. Zehnder graduated cum laude from Thomas M. Cooley Law School where he served as a Senior Associate Editor for Law Review. He also has a Bachelor of Arts Degree in Criminal Justice from Western Michigan University and a Master of Science Degree in Criminal Justice Administration from Boston University.

Mr. Zehnder is admitted to practice law in the State of Michigan. He is also an active member of the Brother Rice Warrior Bar Association.

Thomas M. Cooley Law School, J.D., cum laude, 2010

Boston University, M.S., 2004

Western Michigan University, B.A., 2002

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LOWELL D. JOHNSON, ASSOCIATE

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Mr. Johnson is an associate at The Miller Law Firm. Mr. Johnson's practice is concentrated in complex commercial litigation, class action, anti-trust, and securities litigation. Mr. Johnson is admitted to practice in Michigan and Hawaii.

Mr. Johnson graduated Magna Cum Laude from the Thomas M. Cooley Law School, where he received multiple Certificates of Merit Awards for achieving the highest grade in the class, as well as Honor Roll and Dean's List each term. Mr. Johnson competed as an ABA NAAC National Moot Court Finalist and achieved national distinction after winning the regional competition while earning a "Best Brief" award. Prior to Law School, Mr. Johnson received his BBA in Accounting, Summa Cum Laude from Eastern Michigan University, and his MBA in finance, Summa Cum Laude from Eastern Michigan University.

Mr. Johnson has extensive financial and audit experience. He previously worked at Deloitte & Touche as an Audit Senior Manager where he gained SEC reporting experience. Additionally, Mr. Johnson was an Internal Audit Director for a Fortune 500 Corporation. He also had several Senior Corporate Financial Roles including Controller through Chief Financial Officer and Board of Directors' positions with multiple public corporations.

Eastern Michigan University, B.B.A, M.B.A, summa cum laude, 1986

Thomas M. Cooley Law School, J.D., magna cum laude, 2010

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Nancy Decker is an associate at The Miller Law Firm. She concentrates her practice in complex commercial litigation, securities fraud litigation, and class action litigation.

Ms. Decker graduated magna cum laude from Michigan State University College of Law in 2008 and earned her Bachelor of Arts Degree in Legal Studies from the University of Central Florida, summa cum laude, in 2004. Ms. Decker was also a registered nurse and practiced in the area of psychiatric nursing for over ten years prior to starting her legal career.

University of Central Florida, B.A., 2004

Michigan State University College of Law, JD, 2008

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LAUREN G. NORTHROP, PARTNER

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Lauren G. Northrop is a partner at The Miller Law Firm. She received her law degree in 2005 from The Emory University School of Law, and her Bachelor of Science Degree in Anthropology, cum laude, from Vanderbilt

Prior to beginning her law career, Ms. Northrop worked at Electronic Data Systems at the GM Tech Center in Warren, Michigan as a training coordinator for the CMM Level 3 process team. During law school, she worked at the Southern Environmental Law Center in Atlanta Georgia

through Emory's Field Placement Program and was one of six law students selected to participate in the Turner Environmental Law Clinic, where she worked on various environmental cases and legislative projects in the greater Atlanta area.

She also worked for a summer at the Environmental Protection Agency's Office of Enforcement and Compliance Assurance in Washington D.C. and spent a semester studying international law at Trinity College in Dublin, Ireland.

She currently practices in the area of commercial and complex litigation.

Vanderbilt University, B.S., 2000

Emory University School of Law, J.D., 2005