

**COMMERCIAL LITIGATION COMMITTEE
REPORT FOR THE BUSINESS LAW SECTION COUNCIL MEETING**

1. Next Scheduled Meeting of the Committee

Next scheduled meeting of the Committee:
September 14, 2009, 5:30 p.m.
Brooks Wilkins Sharkey & Turco, PLLC
401 S. Old Woodward, Suite 460
Birmingham, MI 48009
Call-in info: 800-430-0714, code 9711800

2. Council Approval

None.

3. Membership

Last month, we lost a member, David Franks.

This month, we added a new member, Erica Bell.

Existing members:

1. Jay VandeWyngearde, Vice Chair
2. Diane Akers, Founder and Chair Emeritus
3. Doug Toering
4. Rick Paige
5. Alan Taylor
6. Eric Buikema
7. Kevin Fanning
8. Rick Paige
9. Ashish Joshi
10. Thomas Yaczik
11. Joe Ahern
12. Bruce Inosencio
13. Don Blevins
14. Janet Ziulkowski
15. Jason Shinn
16. Robert Constan
17. Robert Hahn
18. Steven Landau
19. Thomas Breutsch
20. Daniel Troyka
21. Erica Bell

4. Accomplishments Toward Committee Objectives

See below.

5. Meetings and Programs

We are awaiting confirmation from MDTC, but it appears that we are co-sponsoring “Emerging Issues in Commercial Litigation” with MDTC featuring panelists of Noted Commercial Litigators, Arbitrators, Consultants and State and Federal Court Judges. The keynote speaker is Michigan Supreme Court Justice Robert P. Young, Jr. Panels include:

- *Hot Topics in Arbitration*
- *E-Discovery and Michigan's E-Discovery Rules*
- *Contractual Issues in Commercial Litigation*
- *Use of Financial Experts in Commercial Litigation*
- *Trends in Commercial Litigation-A View From the Bench*

6. Publications

We have had not activity on this front since we coordinated an issue of the Business Law Journal early last year. The Chair also recently authored an article in the Michigan Bar Journal regarding commercial litigation.

7. Legislative/Judicial/Administrative Developments

Bankruptcies and associated litigation is the hottest topic in our area right now. We expect a raft of follow-on filings by already distressed automotive suppliers. The other hot topics are those relating to the economy: foreclosures, receiverships, etc. The Michigan Court of Appeals is deciding a high number of cases, mostly unpublished, pertaining to priority of secured interests in the wake of bankruptcy, receivership, or simple closure without formal wind-down.

8. Miscellaneous

None.