

Business Litigation



GIARMARCO, MULLINS & HORTON, P.C.

ATTORNEYS AND COUNSELORS AT LAW

Tenth Floor Columbia Center
101 West Big Beaver Road
Troy, MI 48084-5280

248.457.7000

www.gmhlaw.com

GIARMARCO, MULLINS & HORTON, P.C.

GMH

ATTORNEYS AND COUNSELORS AT LAW

Business Litigation

When a dispute surfaces in today's world, companies and individuals face risk or the need to enforce rights on a variety of fronts: the threat of civil litigation, media and public scrutiny, and the need to recongnize important rights. At GMH, we embrace challenges like these because we understand that the value we offer clients comes from our ability to solve sophisticated problems.

Our lawyers prosecute and defend lawsuits - and we do this in state and federal courts throughout the Midwest. The firm has an excellent reputation for getting results in critical cases involving all types of complex issues and disputes, including:

- Appeals
- Banking And Finance
- Business
- Breach of Contract
- Broker-Dealer
- Business Torts
- Class Actions
- Computer Hardware and Software
- Education/Schools
- Employment
- Environments and Energy
- Family Law
- Manufacturing Disputes
- Municipal Law
- Personal Injury
- Probate
- Product Liability
- Real Estate
- Securities
- Trusts
- Wills

Business Litigation Attorneys

William H. Horton *Board of Directors, Chair, Business and Commercial Litigation Sections*

Mr. Horton has been trying lawsuits for over 25 years, primarily in the areas of business and commercial disputes, employment law, and real estate. Many cases involve the automobile industry. He is certified as a Civil Trial Specialist by the National Board of Trial Advocacy.

LeRoy H. Wulfmeier, III *Board of Directors, Chair, Medical Malpractice Defense Section*

Mr. Wulfmeier is a partner in our Litigation Group with over 35 years of experience defending health care providers in complex medical malpractice cases; representing both husbands and wives in acrimonious marital, custody and property disputes; and representing plaintiffs and defendants in personal injury cases arising out of catastrophic injuries involving industrial machinery, automobiles and motorcycles.

Christopher J. Ryan *Medical Malpractice Defense and Litigation*

Mr. Ryan focuses his practice on defending healthcare providers faced with claims of medical malpractice. He has experience in all stages of litigation including representing healthcare providers at alternative dispute resolution proceedings as well as at trial. Before joining Giarmarco, Mullins & Horton, P.C., Mr. Ryan was an attorney at Aardema Whitelaw, PLLC in Grand Rapids.

Victoria S. Lehman *Medical Malpractice Defense and Litigation*

Ms. Lehman focuses her practice primarily on the defense of hospitals and health care providers in medical malpractice litigation. Ms. Lehman also regularly works with her clients on premises liability and general negligence claims, as well as a wide variety of risk management issues.

Jared M. Trust *Medical Malpractice Defense and Litigation*

Mr. Trust focuses his practice primarily on the defense of hospitals and health care providers in medical malpractice litigation. He also represents clients in defense of automobile accidents, licensing issues and other areas of general negligence defense including premises liability.

Andrew T. Baran *Board of Directors, Chair, Employment and Labor Section*

Mr. Baran concentrates his practice in matters relating to employment and commercial disputes, including cases involving breach of contract, discrimination, harassment, wrongful discharge, and agreements restricting competition. He has a broad experience as a counselor and advisor to employers across the Midwest, and provides proactive assistance in avoiding disputes and legal exposure while achieving the employer's desired objectives. Mr. Baran has negotiated many executive employment agreements.

George D. Mercer *Chair, Construction Law and Real Estate Sections*

Mr. Mercer chairs the real estate practice group and concentrates his practice in the areas of real estate law and mortgage lending. He has closed sophisticated real estate financing transactions involving economic development bonds, tax abatements, taxable notes, securitized loans, master leases and ground leases.

Thomas Barlow *Employment and Labor*

Mr. Barlow concentrates his practice in labor and employment law, non-compete law and health care law. Mr. Barlow, previously a partner with the nationally recognized firm of Jackson Lewis PC, has over 30 years of experience representing management in virtually all aspects of work place and labor law. His experience in traditional labor law includes negotiation and administration of collective bargaining agreements, as well as litigation of employment cases. He defends allegations of discrimination and harassment, wrongful dismissal, and retaliation. Mr. Barlow counsels employers on maintaining a union free workplace, as well as the prevention of labor disputes. The negotiation and administration of employment contracts, as well as attendant non-compete and trade secret provisions are a regular part of his practice.

Sean M. Walsh *Commercial Litigation, Debtor and Creditor*

Mr. Walsh focuses his practice on business disputes and transactions, including commercial loan workouts, business insolvency matters, bankruptcy matters and a variety of related commercial litigation. Mr. Walsh regularly represents distressed companies, vendors, lenders and other interested parties in both state and federal insolvency proceedings. Mr. Walsh also represents broker-dealers, corporations and their officers and directors in federal, state and administrative forums.

Geoffrey S. Wagner *Real Estate*

Mr. Wagner is a shareholder in the GMH Litigation Group. He handles a wide variety of real estate litigation, including breach of contract, fraudulent misrepresentation and agent/sales commission disputes. Mr. Wagner has an "AV" Peer Review rating from Martindale-Hubbell, the highest ranking for general ethical standards and legal ability.

Additional Expertise

Employment and Labor

- Employment discrimination claims
- Breaches of contractual restrictions
- Workplace harassment claims
- Wage claims and collective action
- ERISA claims for benefits and for breach fiduciary duty
- Family and medical leave act claims
- Breach of employment contract lawsuits
- Strategic analysis
- Due diligence
- Preliminary agreements
- Transaction planning
- Negotiation and documentation
- Financing
- Closing and post-closing

Business, Corporate, Transactional

- Selection and design of business entity, including analysis of tax and non-tax issues
- Formation of corporations, limited liability companies and other business organizations
- Business reorganization, liquidations, and dissolutions
- Mergers and acquisitions
- Real estate negotiation and documentation for leasing, acquisition and financing transactions, tax appeals, and other real estate contracts
- Buy-sell agreements and other separation agreements among business owners
- Family and non-family business succession planning
- Qualified retirement plans, deferred compensation, and health, life, disability, and other welfare plans.
- Non-qualified executive compensation plans, phantom stock plans, stock appreciation right plans, and option plans
- Contracts with employees, agents, sales representatives, and independent contractors