



11 · 3 · 2023

MDTC

The Future of Defense



LCS RECORD
RETRIEVAL

2023 Winter Meeting • Sheraton Detroit Novi Hotel
21111 Haggerty Rd, Novi, MI 48375
Friday, November 3, 2023

Program Schedule

7:30 a.m. to 1:00 p.m.

7:30 a.m. to 3:00 p.m.

Registration

7:45 a.m. to 8:15 a.m.

Breakfast & Welcome

Mike Jolet, *Hewson & Van Hellemont PC*

8:15 a.m. to 9:00 a.m.

Diversity, Equity & Inclusion (a follow up from last meeting)

The MDTC's Diversity, Equity and Inclusion Committee will provide the defense bar tools to implement DEI pipelines into their firms. MDTC membership will walk away with a how to kit for DEI, contact information for DEI pipelines, and a thoughtful discussion on how implementing DEI impacts the bottom line.

Zabbia Albolou, *Collins Einhorn and Farrell*
Frederick Livingston, *Novara Tesija & Catenacci*
Regina Berlin, *Garan Lucow Miller*

Moderator: Sarah Cherry, *Foley, Baron, Metzger & Juip*

9:00 a.m. to 9:45 a.m.

Effective Cross-Examination Tips & Strategies of Expert Witness

The ability to effectively cross-examine an expert witness can drastically change the landscape of your case. A panel of some of Michigan's most well-known and well-respected trial attorneys share with us their tips and tricks for how they approach this crucial aspect of litigation.

Ven Johnson, *Ven Johnson Law*
Jenna Wright Greenman, *Kitch Drutchas Wagner Valitutti & Sherbrook*

Moderator: Scott Pawlak, *Collins Einhorn Farrell*

9:45 a.m. to 10:00 a.m.

Refreshment Break

10:00 a.m. to 10:45 a.m.

A Perspective "In-House"

The MDTC has a diverse membership of lawyers from firms across the State of Michigan. Join us for a discussion on what in-house counsel looks for when hiring.

Frank Penzato, *The Hanover Law Group*
Kathleen Lopilatio, JD, CPCU, *Auto-Owners Insurance*
Allison Reuter, *Amway*

Moderator: D. Lee Khachaturian, *Law Offices of Diana Lee Khachaturian*

10:45 a.m. to 11:00 a.m.

What Really Matters to Win Your Case

Do you like winning? Of course you do. So what should you really be spending your time doing to win your case? Of course, winning for a defense attorney means getting your case dismissed or a no-cause verdict. Whether you are a new attorney or an attorney on a losing streak, this panel may change your luck. Hear firsthand from a trial court judge (Hon. Julie Gatti) what the Courts consider essential when briefing a persuasive dispositive motion. Learn directly from a facilitator/case evaluator (Michael Dolenga) what information is important and how to present the information to achieve your goals and capture your audience. Defense trial attorneys in the fields of medical malpractice (Randall Juip) and auto-negligence (Shawn Lewis) will share their secrets on how to successfully work their cases up to present to a facilitator/case evaluator or trial court to achieve their goals or get their case dismissed. If dismissal or resolution is not achievable, they will share their strategies on how to achieve a no-cause verdict.

Hon. Julie Gatti, *16th Circuit Court*
Randy Juip, *Foley, Baron, Metzger & Juip*
Mike Dolenga, *Dolenga & Dolenga PLLC*

Moderator: Shawn Lewis, *Hewson & Van Hellemont*

11:30 a.m. to 1:00 p.m.

Lunch/Luncheon Presentation - MDTC/MAJ Respected Advocate Award

Every year, MDTC and MAJ each present a "Respected Advocate Award." The MDTC annually gives the award to a member of the plaintiff's bar for the purpose of recognizing and honoring the individual's history of successful representation of clients and adherence to the highest standards of ethics. The MAJ does the same annually for a defense practitioner. In doing so, we promote mutual respect and civility.

RAA Recipient: Kevin Lesperance, *Henn Lesperance PLC*

RAA Recipient: Chad D. Engelhardt, *Goethel Engelhardt PLLC*

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Zabbia focuses her practice on defense litigation for the firm's General and Automotive Liability Practice Group. Her practice includes first party No-Fault claims, uninsured and underinsured motorist claims, automobile negligence, and general liability matters. Zabbia has extensive experience in litigating general liability, contract, and lemon law. She has vast experience in all aspects of the litigation process from the discovery process through trial. She is very adept in investigating claims and is often sought out for her unique strategic ideas. Zabbia routinely achieves successful results for her clients.

During law school, Zabbia worked for Wayne County Corporation Counsel and Building Authority, assigned to various projects for Wayne County. She also co-founded the Arab and Chaldean Law Student Association and served on the board of the American Syrian Arab Cultural Association.

Frederick V. Livingston

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Frederick V. Livingston, partner with Novara Tesija Catenacci McDonald & Baas, is known throughout the insurance industry for zealously investigating and litigating against fraud in a wide array of property and casualty claims, whether perpetrated by individuals or corporations. He focuses his practice on insurance defense litigation, with an emphasis on premise liability matters, automobile negligence cases, workers' compensation, and first-party No-Fault cases. Fred is a member of the MDTC board and a regular moderator and presenter at the MDTC's summits and training sessions. He received his J.D. from Wayne State University Law School and his B.A. from WSU.

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- EDUCATION
 - Aquinas College, Bachelor of Arts 2006
 - Thomas M. Cooley Law School, Juris Doctorate, 2011

- BAR ADMISSIONS
 - State of Michigan, 2011

- PROFESSIONAL MEMBERSHIPS
 - State Bar of Michigan
 - Evaluating Member for Kent County Case Evaluation Panel
 - Michigan Defense Trail Counsel

- PRACTICES
 - No-Fault and Automobile Negligence
 - Personal Injury Defense and Litigation
 - Commercial Litigation
 - Premises Liability

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Sarah E. Cherry is a Partner at Foley, Baron, Metzger & Juip, PLLC. Her practice is focused on medical malpractice defense, legal professional liability, licensing matters, and executive employment matters. Sarah's medical malpractice defense practice involves representing hospital systems, physician groups, insurance companies, physicians (in all specialties), nurses, and mid-level providers.

Sarah is a board member of the Michigan Defense Trial Counsel ("MDTC") and sits on a number of committees, including the MDTC's Diversity, Equity, and Inclusion Committee.

Sarah has been honored with various awards, including Super Lawyers 2023 Annual List of "Top Women Attorneys," Michigan Super Lawyers "Rising Stars" (2022), Michigan Lawyers Weekly Up & Coming Lawyers (2022), and Michigan Lawyers Weekly "Go To" Medical Malpractice Lawyer (2022). She also received the MDTC's Anita L. Comorski Volunteer of the Year Award (2023).

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Attorney Ven Johnson has been going toe-to-toe against insurance companies, big business, and the government for 37 years — representing victims in state and federal courts in most Michigan jurisdictions and countless courtrooms throughout the United States. Over his career Ven has won over \$300 million in jury verdicts and more than \$500 million in settlements.

In 1983 Ven completed his undergraduate degree from Kalamazoo College and completed his Juris Doctor at the University of Detroit Mercy School of Law in 1986. For the next decade Ven worked for civil defense firm Kohl Secrest before joining Fieger, Fieger, and Schwartz in 1995. There he spent 16 years working side-by-side with renowned Plaintiff Attorney Geoffrey Fieger. Ven became partner in 2001 until he left in 2011 — when he opened his own personal injury law firm, Johnson Law, PLC, in Detroit’s historic Buhl Building. Less than three years later Ven expanded his practice, opening an office in downtown Grand Rapids, MI. In 2017, Ven opened his third office in the historical Flint Capital Theatre Building in downtown Flint, MI.

Ven’s trial skills are second to none. He has won over 30 verdicts in excess of \$1 million. In 2022 Ven obtained a \$100 million verdict in Federal Court in Atlanta, Georgia in the *Blasingame v Grubbs* case —the biggest excessive force jury verdict in the US to date. Ven has also had verdicts of \$22.6 million, over \$14 million, and many verdicts over \$5 million.

Legal organizations and publications across the country have recognized Ven for his achievements in personal injury law. Ven received the “Advocate” distinction from the American Board of Trial Advocates, as well as the highly regarded State Bar of Michigan’s “Respected Advocate Award,” which is bestowed by the Michigan Defense Trial Counsel, his opposing counsel, in recognition of an individual’s superb representation of clients and adherence to the highest standards of ethics. More recently, Ven was inducted into the Michigan Lawyer’s Weekly Hall of Fame.

An active supporter of the legal community, Ven is a member of numerous legal organizations, including President of the Michigan Association of Justice (Michigan Trial Lawyers) (MAJ). He is also member of the American Association of Justice’s (U.S. Trial Lawyers) (AAJ) Leader’s Forum. Ven is a member of the State Bar of Michigan Negligence Law Section and was a Chairperson of the Section from 2016 to 2017. In 2022, Ven was inducted into the Inner Circle of Advocates, the top 100 plaintiff trial lawyers in the United States.

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Jenna Wright Greenman is an experienced litigator and trial attorney, and a Principal of the Kitch Firm, sharing a leadership role and serving as the Detroit office's contact in birth trauma and medical malpractice defense practice. She has successfully defended and tried to verdict, as lead counsel, professional liability claims against hospitals and medical care providers against claims of professional negligence, often involving catastrophic brain damage cases, neurology, neurosurgery, and all types of malpractice claims. In addition to her legal practice, Ms. Wright Greenman is engaged by numerous insurance carriers and institutions as an educator, including the Detroit Medical Center and other organizations, developing plans for better patient care and safety and medical legal issues. She has been invited to give hundreds of lectures and presentations in the field of obstetrics, pediatrics, neurology and brain injury, physician practice guidelines, electronic medical records, legal issues, and other topics. Additionally, Ms. Wright Greenman serves on panels for National Trial Counsel for several different health organizations.

Honors, Awards and Other Recognition:

2023 "Lawyer of the Year" for Medical Malpractice Law in Detroit by Best Lawyers

Leading Lawyer, *Leading Lawyers Magazine*, 2021 and 2022

Best Lawyers in America: Medical Malpractice Law: Defense

Honoree, *Michigan Lawyers Weekly*, Women in the Law, Class of 2016

Scott A. Pawlak

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Scott's practice focuses on first- and third-party automobile defense, premises liability, and construction liability matters. Scott also counsels clients by providing coverage opinions and corresponding coverage position letters, encompassing claims brought under commercial general liability, homeowners, umbrella, and automobile insurance policies. Scott's track record of obtaining successful results for clients is evidence of the zealous advocacy he brings to every case.

Scott has presented to claims adjustment groups on issues facing insurers in district courts, and the importance of maintaining communication between claims representatives and the attorney.

He has also had several prominent outcomes including obtaining summary disposition on behalf of a no-fault insurer for charges for chiropractor-referred MRIs. The Court agreed with the insurer that because Michigan's No-Fault Act did not include MRIs within the scope of "chiropractic care" as of January 1, 2009, no-fault insurers are not required to reimburse for MRIs that have been ordered by a chiropractor. The Court further noted that because the performance or ordering of an MRI is beyond the scope of chiropractic care, there was no way that such testing could be deemed a "reasonably necessary service." (June 2018)

Working on behalf of a no-fault insurer, obtained summary disposition of Plaintiff's claims in Oakland County Circuit Court due to Plaintiff's fraudulent representations in his claim for benefits. By obtaining testimony from Plaintiff and his services provider that "directly and specifically contradicted" the representations made in Plaintiff's replacement service statements, Attorney Pawlak was able to persuade the Court that the Plaintiff had committed fraud under the policy, without having to rely on surveillance evidence. The Plaintiff's and his provider's claims were dismissed with prejudice. (February 2018)

Obtained summary disposition on behalf of a no-fault insurer in a subrogation claim for damage to a motorized wheelchair. In a question of first impression in Michigan, the Court agreed with the Defendant that the wheelchair was considered a "prosthetic device" under Michigan's No-Fault Act, and was therefore compensable as a personal injury protection benefit. Plaintiff's subrogation claim was dismissed with prejudice. (September 2017)

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Frank Penzato has over 25 years litigation experience, specializing in all aspects of insurance defense with a primary focus on first and third party auto and general negligence matters. He has been with Hanover/Citizens since 2011 and is currently an AVP with its staff counsel operation. He received his BA from the University of Michigan in 1994 and his JD from the University of Detroit Mercy School of Law in 1997. Frank routinely provides training for claims adjusters and managers in no-fault litigation as well as the defense of um/uim claims. He is an active member of the Michigan Defense Trial Counsel and serves as a defense arbitrator.

Kathleen Lopilato, JD, CPCU

Vice President

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Kathleen Lopilato is a Vice President of the Legal Division at Auto-Owners Insurance Company and has been employed there for 24 years. Prior to that, she was in private practice in Lansing, Michigan, for 11 years. She has a B.A from the University of Michigan and a law degree from Wayne State University Law School. Ms. Lopilato is the former Chair of the State Bar of Michigan Insurance and Indemnity Law Section.

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Allison Reuter brings over 20 years of employment law expertise to Alticor's Legal-HR Department where she provides legal counsel to business leaders on complex employment issues on a local, state, federal, and foreign level, as well as global compliance issues.

Although I do not call myself an ERISA attorney, I have spent the last several years expanding my area of expertise into the employee benefits arena. For the past year now, I have served on Alticor's COVID response team and have advised the organization on complying with a multitude of state orders, over 500 and counting!

Although I started my career as a litigator, my passion was in the "counselor" part of "attorney and counselor." I love to problem-solve and rely on my business acumen and ability to empathize to provide practical advice; I don't like to say, "No," and I will always try to find a way to say, "Yes." My clients enjoy my sense of humor and down-to-earth personality, which sets me apart from your "typical" attorney. This allows me to create and maintain close relationships with those I support: "You have been a cornerstone to our team providing insight, interpretation and much needed guidance. On those days where I struggle you are just right there to provide support, wisdom, moral support, guidance, humor and friendship."

D. Lee Khachaturian

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Diana Lee Khachaturian concentrates her practice on commercial litigation, with an emphasis on business torts, noncompete agreements, trade secrets, and banking litigation. She also practices in the areas of property damage, personal injury, and employment litigation. Ms. Khachaturian is vice president of the Michigan Defense Trial Counsel, is an editor of the "Michigan Defense Quarterly," sits on the Defense Research Institute Commercial Litigation Committee's steering committee, and is a coauthor of DRI's "Compendium on Non-Compete Agreements, State of Michigan."

Honorable Julie Gatti
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Judge Julie Gatti graduated from Michigan State University with a Bachelor of Arts degree in 1989. She received her Juris Doctorate from Wayne State University in 1995. Judge Gatti was elected to the Circuit Court bench in November 2018. Prior to her election, Judge Gatti was in private practice, specializing in Family Law. She served 9 years on the Board of the Macomb County Bar Association (MCBA) and was elected its 85th President. She was the proud recipient of the MCBA's Civility Award for 2017-2018. Judge Gatti serves on the Board of Directors of The Resolution Center. Additionally, she is a member of the Women Lawyers Association of Michigan - Macomb Region, the Italian American Bar Association of Michigan, and the Italian American Chamber of Commerce of Michigan.

Randall A. Juip

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Mr. Juip's practice has two main focuses: aggressive litigation/trial advocacy and competent, thoughtful pre-litigation risk management support. He specializes in complex civil litigation that includes the defense of medical/professional malpractice, civil rights, 42 USC 1983, and business/commercial lawsuits.

Randy believes in forming a trial strategy early; that working with full information, justified confidence, and good strategy puts his clients in a position of strength throughout the litigation process. His practice incorporates aggressive use of technology to provide not only outstanding results at trial, but to effectively and efficiently share information, coordinate strategy, and allow his clients to realize true cost savings in litigation.

At trial, Randy's reputation for success is hard-won and indisputable. In close to 70 trials, in both Federal and State Courts, he is able to boast a greater than 97% success rate.

Randy also provides his clients with valuable legal guidance outside of the context of active litigation through risk-management, practice consulting, crisis management, and media relations. He has appeared on television (both local and national) numerous times representing and speaking on behalf of various clients. He has helped many professionals avoid embarrassing and costly public relations disasters by quickly and quietly acting to resolve high profile matters in confidence. Randy works closely with his professional clients to evaluate their policies and practices in an effort to effectively manage the risk that is part of doing business in a litigious society.

Finally, but perhaps most importantly, Randy has long believed that his reputation as a thorough, competent, and civil advocate – with the Courts, and in both the plaintiff and defense bar – serves his clients well. His ethics, civility, and toughness reflect the high quality of the individuals and businesses who seek his representation.

Michael Dolenga

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Michael Dolenga founded Dolenga & Dolenga, PLLC in 2000. He has over 25 years of experience as a civil litigation attorney. He has also served as a mediator, facilitator, and arbitrator for 15 years. Michael's litigation practice focuses on all types of personal injury, including medical malpractice, automobile negligence, and products liability. He also handles a commercial litigation. He has served as state, regional, and national counsel for several major corporations. Currently, a significant focus of his practice is Alternative Dispute Resolution. He has successfully helped attorneys and parties settle over 1,000 cases in his facilitation practice, and he is often retained as a mediator or neutral arbitrator.

Michael received his B.A. in social science, from Michigan State University, James Madison College, with Honors in 1990. He obtained his J.D. from Detroit College Law, Cum laude in 1993.

Shawn J. Lewis

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PRACTICE AREAS

ALTERNATIVE DISPUTE RESOLUTION

BUSINESS LAW

CONTRACT DISPUTES

GENERAL NEGLIGENCE

INSURANCE DEFENSE

LITIGATION

PREMISES LIABILITY

TRUCKING/COMMERCIAL VEHICLE LITIGATION

BAR ADMISSIONS

Michigan, 2011

PROFESSIONAL AFFILIATIONS

State Bar of Michigan, American Bar Association, Oakland County Bar Association, MDTC
(Michigan Defense Trial Counsel)

EDUCATION

Michigan State University, 2008

Loyola University Chicago School of Law, 2011

Program Schedule

1:00 p.m. to 3:15 p.m.

2nd Annual Lunch/Luncheon Presentation -Best Article Award

In May each year, the editor and associate editors will select the three finalists from the four issues in the prior volume. If the editor or an associate editor wrote an article that was published in those issues, they are excluded from participating in the selection. Once the editors have selected three articles, they are sent to three current Michigan judges who select the Best Article Award recipient. The selection process for the editors and judges may be collaborative. If they cannot agree on the finalists or award recipient, each editor or judge will score each article under consideration on a scale of 1-5 for each criteria listed below. The scores for each article will be added together to determine the three highest scores for the finalists or the final score for the award recipient. Multiple award recipients are permitted if the judges' scoring results in a tie. The award will be announced in September.

Best Article Award Recipient: Deborah L. Brouwer
Best Article Award Recipient: Anna S. Kozak

1:00 p.m. to 1:30 p.m.

Creating a Path to Success as a Young Attorney

Utilizing her unique role as a Michigan Supreme Court Justice, the Honorable Kyra Harris Bolden shares her thoughts and experiences as to how young attorneys can find success in the practice of law.

Justice Kyra H. Bolden, *Michigan Supreme Court*

1:30 p.m. to 2:15 p.m.

Damages...What is Real?

In the days of nuclear verdicts and exaggerated damages, a defense attorney's greatest tool for success may be their ability to analyze and limit Plaintiff's claims for damages. What tools and strategies really matter to convince a jury or a facilitator/case evaluator what a case is really worth? This one-of-a-kind panel will lay out all the defense tools to gut any exaggerated damage claims and how to make the evidence stick. The panel is comprised of a facilitator/case evaluator (Robert Riley), Economist (Paul Sicilian, PhD), Life Care Planner/ Vocational Rehabilitation Counselor (Erin O'Callaghan), Private Investigator (Mike Huntsman), and will be moderated by a defense litigator (Sarah Cherry).

Bob Riley, *Riley & Hurley*
Dr. Paul Silcilian, PhD, *Grand Valley State University*
Erin O'Callaghan, *Erin O'Callaghan Rehabilitation & Disability Services*
Mike Huntsman, *SuperiorX Investigations*

Moderator: Sarah Cherry, *Foley, Baron, Metzger & Juip*

2:15 p.m. to 2:30 p.m.

Refreshment Break

2:30 p.m. to 3:15 p.m.

Chief Judges & Their Thoughts on the Rapidly Changing Legal Landscape

Over the last few years, it seems that the legal landscape in Michigan is constantly shifting beneath our feet. From major amendments to the Michigan No-Fault Act to the Supreme Court's expected overturning of the "Open and Obvious" Doctrine, it is more important than ever for defense lawyers to adapt to meet these challenges. The MDTC is excited to host the Chief Judges and Chief Judge Pro Tem of Oakland, Macomb and Wayne Counties to discuss the changing legal landscape and best practices for lawyers to meet these challenges.

Hon. James M. Biernat, *16th Circuit Court, Macomb County*
Hon. Patricia P. Fresard, *3rd Circuit Court, Wayne County*
Hon. Jeffery S. Matis, *6th Circuit Court, Oakland County*
Hon. Leslie Kim Smith, *3rd Circuit Court, Wayne County*

Moderator: John Hohmeier, *Scarfone & Geen*

Justice Kyra Harris Bolden

Michigan Supreme Court
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Justice Kyra Harris Bolden joined the Michigan Supreme Court on January 1, 2023, when she was appointed by Governor Whitmer, making her the first Black woman to serve as a Justice. A graduate of Southfield Public Schools, Justice Bolden chose to remain in Michigan for her studies, receiving her bachelor's degree from Grand Valley State University and Juris Doctor from the University of Detroit Mercy School of Law.

While serving as a state representative in the Michigan House of Representatives, Bolden advocated for Michiganders as a member of the Judiciary Committee and focused her work on criminal justice reform and crafting and passing bipartisan legislation to protect survivors of sexual violence. Justice Bolden successfully passed pieces of critical bipartisan legislation into law, including the "Medically Frail" Prison Reform package, the revision of the Wrongful Imprisonment Compensation Act, and the "Address Confidentiality for Survivors of Domestic Violence" package.

Justice Bolden has a deep respect for the law and has seen the depth and breadth of law in her years of practice and lawmaking. After becoming a member of the State Bar, Justice Bolden practiced as a criminal defense attorney. She then served as a Judicial Law Clerk in Wayne County's Third Circuit Court under the Honorable John A. Murphy. As a Judicial Law Clerk, Justice Bolden performed legal research, made recommendations to Judge Murphy on legal interpretation based upon relevant case law, and drafted opinions on a myriad of civil issues. She then practiced as a civil litigation attorney with Lewis & Munday, P.C., in several practice areas before joining the Michigan Legislature in 2019.

Alongside her daily work, Justice Bolden is an active member of her community, serving as a member of the Oakland County Bar Association, Wolverine Bar Association, Straker Bar Association, the Women Lawyers Association of Michigan, National Congress of Black Women-Oakland County, and Alpha Kappa Alpha Sorority, Inc.

Justice Bolden has received several awards, including the 2019 Detroit Association of Women's Clubs, Inc. "Young Women Lifting As We Climb Image Award," the 2019 African American Leadership Awards "Emerging Leader Award," a 2020 *Michigan Chronicle* "40 Under 40 Award," 2021 "Legislative Economic Development Champion Award," and the 2021 Michigan Credit Union League "Legislator of the Year Award."

Justice Bolden lives in Farmington Hills with her husband, Dr. Greg Bolden, and their daughter, Emerson Bolden.

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Robert F. Riley is the founder of Riley & Hurley, P.C. In a career spanning 42 years, Bob has litigated all manner and kind of civil actions. His practices also included the representation of professional athletes and their unions in collective bargaining. He is a well-respected mediator, facilitator and arbitrator and is regularly called upon by parties and members of the judiciary to assist with the settlement of difficult and complex lawsuits.

In recent years, Bob has served as President of the Michigan Chapter of the American Board of Trial Advocates. He is also the immediate past Chair of the State Bar of Michigan Negligence Law Section.

Dr. Paul Sicilian, PhD
Professor
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Dr. Paul Sicilian is a Professor of economics at Grand Valley State University. He earned his B.A. degree at Tulane University and his M.S. and Ph.D. degrees at the University of Illinois, Urbana-Champaign. His primary research interest is in labor markets.

Erin O'Callaghan

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Erin O'Callaghan BS, MA, JD, NCC, LPC, CRC, CLCP is a Life Care Planner, Rehabilitation Counselor, Case Manager and a Licensed Attorney with 20 years of experience as a Rehabilitation Professional and expert witness. Erin is the president of the Michigan Chapter for the International Association of Rehabilitation Professionals and speaks on an international platform regarding ethical issues in life care planning and injury rehabilitation.

Erin is well known for preparing reasonable and individualized life care plans subsequent to injury or illness that represent actual and realistic costs of future care.

Michael Huntsman
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Michael is currently serving as the Managing Partner at SuperiorX Investigations, a private investigation firm that specializes in Insurance Fraud Investigations. Prior to working at SuperiorX, Michael served the citizens of Virginia as an undercover police officer in which duties included undercover operations, surveillance, source development and digital intel gathering.

Re: SuperiorX, Michael recognizes that SuperiorX's employees are responsible for the success of their business. Their diverse staff have shown themselves to be above reproach in their investigative practices and are committed to representing clients well. SuperiorX's future is bright because they are all committed to investigative excellence.

Hon. James Biernat
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Judge James M. Biernat, Jr. graduated from Hillsdale College in 1991. In 1997, he received his law degree from the University of Detroit Law School. Biernat was a Commissioner for the 16th District on the Macomb County Board of Commissioners from January 1993 through December 1998. Jim Biernat worked as an Assistant Prosecutor for the Macomb County Prosecuting Attorney's Office from January 1999 until his appointment to the bench by the Governor in 2011. He is a member of the State Bar of Michigan and the Macomb County Bar Association.

Honorable Patricia P. Fresard

Chief Judge

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Hon. Patricia Perez Fresard was elected to the court in 1999. She has served as a felony trial court judge and judge for the Civil Division. She is currently the Wayne county Third Circuit Court Chief Judge.

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Judge Jeffery S. Matis graduated from Oakland University with a Bachelor of Science, School of Business Administration in 1990, and he attained his Juris Doctorate from the University of Detroit School of Law in 1994 while working full time as a commercial pilot and Vice President of an Aviation Company throughout undergraduate and law school. Judge Matis was a practicing attorney for over 20 years prior to being appointed, to become a Judge by former Governor Rick Snyder in 2015. He was Previously Chief Judge Pro Tem, Presiding Judge of the Family Division, an Adult Treatment Court Judge, Chairperson of the Court's Budget Committee and Member of the Court's Criminal Assignment Committee. Judge Matis is currently Chief Judge of the Oakland County Circuit Court. Prior to his Judicial appointment, he was Vice Chairperson of the Oakland County Board of Commissioners, a Rochester City Council Person, a Board Member of the Rochester Area Youth Assistance (RAYA), the Rochester Historical Commission, the Paint Creek Trailways Commission, a governing Board Member of the Rochester Older Persons Commission (OCP), and the treasurer of the Sons of the American Revolution (Oaks Chapter). He also served as an adjunct professor of Law at Western Michigan University Thomas M. Cooley Law School and the University of Detroit Mercy School of Law. He is currently an Executive Board Member and Co-Chair of the Legislative Committee for the Michigan Judges Association (MJA).

Honorable Leslie Kim Smith

Chief Judge

3rd Circuit Court

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The Hon. Leslie Kim Smith is a Chief Judge for the Third Circuit Court in Michigan. She was appointed to the bench in 2023.

Smith earned a bachelor's degree in economics from Wayne State University. She then completed a J.D. at the University of Detroit Mercy School of Law in 1982.

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John Hohmeier joined Scarfone & Geen, P.C. in 2012. Since joining the firm, Mr. Hohmeier has focused his practice on first- and third-party No Fault litigation. He was both Trial and Appellate Counsel in *Dawoud v State Farm Mut Auto Ins*, where the Court of Appeals issued a published opinion further clarifying the derivative nature of medical provider's rights in the No Fault arena. Mr. Hohmeier's current focus remains on the recent explosion of medical provider litigation against insurance carriers.

Mr. Hohmeier is also a recipient of the Golden Gavel Award given out by the Michigan Defense Trial Counsel in recognition of significant achievement within his area of practice, the community, and the advancement of young attorneys. Mr. Hohmeier obtained his Juris Doctorate from Thomas M. Cooley Law School. While at Thomas M. Cooley Law School, Mr. Hohmeier's commentary on the interaction of emotion and brain chemistry with a person's ability to recall veridical memories was published in the Thomas M. Cooley Law Review.

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