



Thomas G. McNeill

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From the front end of the case, leading a Dickinson Wright team, Tom fully investigates the facts, assists the client in defining their litigation and business goals and objectives, develops the “battle plan” with the client, and then effectively and cost-efficiently executes the plan to achieve the client’s end game – whether in an early resolution, all the way through trial and appeal, or at any point in between as Tom and the team create opportunities for the client to secure a successful result. In business to business litigation and in representing individuals, in both defense and plaintiff engagements, the claims in these client matters have ranged from tens of billions, to 7, 8 and 9 digit millions, to several hundred thousands of dollars over the course of hundreds of cases.

Tom loves trying cases, if that’s what the client decides. He has tried approximately 50 cases to verdict, and commenced many others that settled during trial. Tom has prevailed for his client in every trial to verdict – defense client’s “no-cause” judgment or a plaintiff client’s damages verdict – except one, in which Tom and a partner colleague obtained an 18-month injunction to preserve the business division, but the jury determined that there were no lost profits.

Tom has extensive experience as lead counsel in the following areas:

- All manner of commercial contract cases and disputes in a wide range of industries and disciplines, including supply and distribution contracts, professional services agreements, purchase and sale agreements, sales of high priced or high volume goods (under the UCC) and under corporate organizational documents and operating agreements. As a sub-specialty, Tom is recognized as market leader in automotive supply breach of contract cases, typically representing a Tier 1 or 2 client.
- Complex financial litigation, including in the areas of securities, antitrust, private equity, mergers and acquisitions, banking and technical financial statement-based accounting claims and damages.
- The broad field of “business torts,” including breach of fiduciary duty, shareholder disputes (and shareholder oppression), claims of trade secret act violations, and breach of non-competition, anti-solicitation, and confidentiality agreements. Since 1999, Tom has served as co-author and co-editor of Michigan Business Torts, now in the 2020 edition, which is the gold standard treatise in the field, relied upon by judges, trial lawyers and in-house counsel.

- The representation of business organization officers and directors covering a wide range of inter- and intra-company disputes involving tort, contract, equity and statutory claims.
- The defense of class actions alleging securities act, ERISA or consumer act violations actions against the company, and/or its officers or directors.
- The defense of putative “malpractice” claims against international, national and regional accounting, actuarial and other professional service firms (but not law firms) – a rare specialty in the Michigan bar.
- Health care industry litigation, particularly in disputes within physician practices.

Tom has strong professional relationships with the Judges presiding in his “home courts” – the U.S. District Court for the Eastern District of Michigan, the Business Courts of the Michigan Circuit Courts (particularly in Wayne, Oakland, Washtenaw and Macomb Counties), and before general civil docket circuit judges across Michigan. Tom also has appeared in cases across the country in many federal and state courts.

Acknowledgments

- Chambers USA: America's Leading Lawyers for Business – listed since 2008
 - Band 1, Commercial Litigation; and Dickinson Wright's litigation practice is recognized as one of only two firms in Michigan Band 1 for general commercial litigation.
 - Best in Their Field, Commercial Litigation
- Best Lawyers in America® – listed since 2008
 - Named Lawyer of the Year by Best Lawyers for:
 - Bet-the-Company Litigation (2022)
 - Litigation – Banking & Finance (2020)
 - Litigation – Securities (2018)
 - Litigation – Banking & Finance, Detroit (2017)
 - Litigation – Securities (2015)
 - Recognized in The Best Lawyers in America® for work in:
 - Bet-the-Company Litigation
 - Commercial Litigation
 - Litigation – Banking & Finance
 - Litigation – Mergers & Acquisitions
 - Litigation – Securities
- Michigan Lawyers Weekly, "Leader in the Law" Award, October 2021
- Benchmark Litigation – listed since 2014
 - "Litigation Star"
- Michigan Super Lawyers® – listed since 2006
 - Michigan Super Lawyers Top 100 Lawyers in Michigan (all disciplines)
 - Top Rated in Business Litigation, continuously 2006–2021
- DBusiness Top Lawyers – listed since 2009
 - General Commercial Disputes, Dispute Resolution

- The Legal 500 United States – listed since 2019
 - General Commercial Disputes

Professional Involvement

- International Society of Barristers – since 2019
 - Membership is by invitation only, preceded by a rigorous screening process that considers the lawyer's ability, experience, accomplishments and ethical standards as assessed by trial lawyers and judges
- Appellate Defender Commission, Member, 2011 to present, currently Vice Chair
 - Nominated by the Michigan Supreme Court
 - Appointed by three successive Governors
- State Bar of Michigan Foundation, Fellow (Top 5% of the profession in the State)
- State Bar of Michigan – Kimberly M. Cahill Award for Bar Leadership, 2014 (for leading a collaboration of seven bar associations to meet needs of the U.S. District Court for the Eastern District of Michigan for the appointment of a pro bono lawyer in every civil and criminal case, with more than 400 cases handled each year)
- Federal Bar Association, Eastern District of Michigan Chapters, sustaining member, Past President (2012-13), Officer and Board Member
- Federal Bar Association (the national organization), 6th Circuit Vice President (2014-16) with supervisory responsibility for 12 FBA Chapter; Federal Litigation Section, member and past officer
- Oakland County Bar Association, Fellow and Advisory Committee to Business Court, member
- Detroit Bar Association, past President, Inn of Court, 2013-15 (2014 "Section of the Year" Award)
- Merit Selection Panel for Eastern District of Michigan Magistrate Judge Position (2011), Chairman
- Active Fundraiser for state Judicial Officers and candidates for open seats

Representative Clients

- AT&T
- BDO Global
- Benteler Automotive
- Credit Acceptance Corp.
- The Coca-Cola Company
- Crowe
- Dura Automotive
- Ernst & Young
- JPMorgan Chase Bank
- Barbara Ann Karmanos Cancer Institute
- Magna International

- McDonald's Corp.
- MGM Resorts International and MGM Grand Detroit
- Northern Trust
- Usui Kokusai Sangyo Kaisha
- Willis Towers Watson

Middle Market, Entrepreneurial And Private Equity Clients

- Advanced Cardiology Associates
- AIM Interest Media
- Arabian Horse World
- Brew Detroit
- Callidus Capital
- Catalyst Growth Partners
- Detroit Land Bank
- Furukawa Electric
- Grand Hotel (Mackinac Island)
- GST AutoLeather
- Health Management Associates
- Hudson Valley Lighting
- IPS Assembly
- J&B Medical Supply
- King's Pharmacy
- Michigan State University Foundation
- Mississippi Lime
- MusclePharm
- Naked Pizza (UK)
- Novo Motor Acoustic Systems
- Peninsula Capital Partners
- Physicians Eye Care Associates
- Pilkington North America
- Rex Performance Products
- Robotic Vision Technologies
- Satellite Services
- Sonus Engineered Solutions
- Sterling Bancorp (outside directors)
- Toebe Construction
- WF Whelan Co
- Wind Point Partners

Serving as Michigan Counsel for National Firms and Their Clients

- Armstrong Teasdale
- Arnold & Porter Kaye Scholer
- Bracewell
- Cahill Gordon & Reindel
- Davis, Polk & Wardell
- DLA Piper
- Duane Morris
- Faegre Drinker Biddle & Reath
- Groom Law Group
- Hunton Andrews Kurth
- Kirkland & Ellis
- Latham & Watkins
- Mayer Brown
- McGuireWoods
- Mitchell, Silberberg & Knupp
- Morgan, Lewis & Bockius
- Nixon Peabody
- Proskauer Rose
- Shearman & Sterling
- Sheppard, Mullin, Richter & Hampton
- Sidley Austin
- Skadden, Arps, Meagher & Flom
- Steptoe & Johnson
- Sullivan & Triggs
- Vinson & Elkins
- White & Case
- Willkie, Farr & Gallagher
- WilmerHale
- Winston & Strawn

Publications and Presentations

- [Michigan Business Torts, Pappas, Quick and McNeill](#) (ICLE 2003, 2007, 2009, 2013, 2017, and 2020 editions), the State's seminal text in the field
- American Bankruptcy Institute Conference, Trial Demonstration, Instructor (2016, 2013)
- Michigan State University Law School, Trial Advocacy Course, Visiting Instructor (2017, 2016)
- Western Michigan University Cooley Law School, Paralegal Course, Visiting Instructor, Electronically Stored Information (2017)
- E-Discovery Blue Ribbon Study Panel, Co-Chair with Michigan Supreme Court Chief Justice Bridget McCormack (2016-17)

- Michigan Business Courts (20 Judges from across the state selected by the Michigan Supreme Court), presentations on commercial litigation case management best practices and on electronically stored information (2017, 2016)
- “High Stakes Gambling Litigation,” national Canadian Gaming Summit, Windsor, Ontario (2015)
- “Cross Examining Financial Experts in Bankruptcy Court” (October, 2011), sponsored by the Federal Bar Association (E.D. Mich.)
- “The Definitive Non-Compete Agreement” (January, 2011), sponsored by ICLE
- “Pre-filing Pitfalls, Initial Disclosure and Discovery” (December, 2009-2015), sponsored by the Federal Bar Association (E.D. Mich.)
- “Financial Litigation in Federal Court” (February, 2008), sponsored by the Federal Bar Association (E.D. Mich.)
- “Electronic Discovery: Legal and Technical Issues for Today’s Trial Lawyer” (February, 2006), sponsored by the Federal Bar Association (W.D. Mich.)
- “Litigating Non-Competition Agreements” (August, 2003), ICLE’s Masters of Litigation Series
- “Managing Pretrial Discovery of Electronic Data” (July, 2001), ICLE’s Masters of Litigation Series