

**COMMERCIAL LITIGATION COMMITTEE and
AD HOC COMMITTEE ON MURPHY v INMAN
REPORT PREPARED FOR THE MARCH 3, 2022 COUNCIL MEETING**

1. Next Scheduled Meeting of the Committee/Directorship.

No meeting of the Committee is currently scheduled.

2. Council Approval.

No matters require Council approval.

3. Membership.

The Committee comprises approximately 100 commercial litigators.

4. Accomplishments Toward Committee/Directorship Objectives.

The Committee would like to hold an event to commemorate the tenth anniversary of the signing of the business court legislation, which occurred in October 2012. This would likely occur in the fall.

The Committee Chair would also invite a discussion at the Council meeting on a possible "Business Litigation Boot Camp".

5. Meetings and Programs.

No meetings or programs have been held since the last Council meeting.

6. Publications.

The Committee has published no articles. The Committee is responsible for articles for the Spring 2022 issue of the Michigan Business Law Journal, which should be published shortly.

7. Methods of Monitoring Legislative/Judicial/Administrative Developments and Recommended Action.

The Commercial Litigation Committee typically receives notices of proposed legislation or changes to the Michigan Court Rules. When the Committee is informed of potential changes to the Michigan Court Rules or proposed legislation that may impact the practice of Committee members, the Committee engages in an e-mail or in-person discussion of such proposed changes or legislation.

The BLS and the Litigation Section filed amicus briefs in *Murphy v Inman* (case no. 161454), dealing with duties of directors and officers in a cash-out merger. The Michigan Supreme Court heard oral argument on December 9, 2021 on whether the Court would grant leave to appeal. The ad hoc committee is taking no further action at this time on the *Murphy v Inman* matter.

8. Miscellaneous.

Douglas L. Toering, Committee Chair
Mantese Honigman, PC
1361 E. Big Beaver
Troy, MI 48083
(248) 457-9200
dtoering@manteselaw.com

Date of Report: February 24, 2022