

**COMMERCIAL LITIGATION COMMITTEE
REPORT PREPARED FOR DECEMBER 2, 2006 COUNCIL MEETING**

- 1. 2006-2007 Budget Request.** The Commercial Litigation Committee requests a budget of \$2,000.
- 2. Next Scheduled Meeting.** The committee does not presently have a meeting scheduled.
- 3. Council Approval.** N/A.
- 4. Membership.** One new member has joined the committee since the last Council meeting.
- 5. Accomplishments toward Committee Objectives.** Participation in the Committee has fallen off in the last several months. This may be partly due to the fact that some Committee members have been very interested in the work of the Task Force on Attorney-Client Privilege and have become involved in the Task Force's activities.
- 6. Meetings and Programs.** The Commercial Litigation Committee had a meeting/conference call on October 5, 2006. At that time, Ashish Joshi proposed that we present a program on Daubert and its application to economic experts. Mr. Joshi followed up by providing an outline for the program, which was forwarded to all committee members for review and comment on November 1, 2006. We have not received any comments and have not taken further steps to schedule this program.
- 7. Publications.** The November issue of the Michigan Bar Journal contained a review of a new, 8 volume treatise, Business and Commercial Litigation in Federal Courts, written by Diane L. Akers. The treatise was written by 199 of the top practitioners and judges and the Editor-in Chief is Robert L. Haig of Kelley, Drye & Warren in New York. Mr. Haig has assisted the Section and, in particular, the Business Court Committee and he is generally regarded as one of the foremost experts on business courts.
- 8. Legislative/Judicial/Administrative Developments.** None.
- 9. Analysis of Applicable Strategic Plan Issues.** The Commercial Litigation Committee perhaps needs some re-invigoration, although members may also want to continue to be involved in the activities of the Task Force on Attorney-Client Privilege.
- 10. Miscellaneous.** N/A.

Submitted by: Diane L. Akers, Co-Chair, Commercial Litigation Committee