

**COMMERCIAL LITIGATION COMMITTEE
ANNUAL REPORT PREPARED FOR THE
DECEMBER 1, 2012 ANNUAL MEETING**

Please describe your committee's activities during the 2011-2012 year toward achievement of the goals outlined in the Section's Strategic Plan. Each question below corresponds to a specific Section of the Plan, a copy of which is attached and to which reference may be made for further guidance in providing responses. If the question is not applicable to your particular committee or directorship, please note as such.

1. Sponsorship of programs for Continuing Legal Education via a means accessible to Section Members, including holding at least one program yearly (Article I, 3, of the Strategic Plan).

The Commercial Litigation Committee and the Small Business Forum co-sponsored two programs on business courts (October 20, 2011 and March 29, 2012). In addition, the Committee sponsored a webcast on bankruptcy for commercial litigators (May 22, 2012). Moreover, the Committee was responsible for the spring 2012 issue of the Michigan Business Law Journal with its theme of commercial litigation. Committee member T.L. Summerville worked with Dan Kopka in coordinating that issue. All of this occurred under Dan Sharkey's leadership.

2. Addressing substantive legal issues for committee members, including holding regular committee meetings (at least once a year) and reporting on the meetings to the Council (Article I, 4).

Legal issues were discussed at the events mentioned in no. 1. Reports of those seminars were included in the quarterly reports to the Council.

3. Promoting involvement in the committee and making the committee more responsive to members including the designation of a contact person (Article I, 5).

The Committee includes 32 members. We communicate by e-mail and by teleconference. We have recently set up an informal listserv, by which members may ask questions or report on recent cases. I am the contact person.

4. (A) monitoring and raising awareness of laws or developments in laws that affect Michigan businesses and, when appropriate, making recommendations for updates and improvements;

(B) providing assistance to appropriate state government personnel with respect to business-related legislation and rule making;

(C) as appropriate, providing amicus curiae briefs related to business-related issues being addressed by the courts, and

(D) educating Michigan businesses, their owners and employees about changes to Michigan's laws in order to maintain Michigan's ability to attract and retain new business enterprises and enable existing businesses to remain competitive. (Article II, 1).

The Committee continues to monitor the implementation of the business court legislation in the local circuits. We will also respond to requests for assistance on legislation and rulemaking. Any member may notify other members about proposed legislation or recent cases via our informal listserv.

5. Please comment on your plan regarding succession (Article III, 5).

Having become the chair of the Commercial Litigation Committee in September 2012, I do not have a succession plan.

6. Please list your Committee's goals and objectives for the next 12 to 24 months and whether you will require additional support from the Section to achieve these goals (Article III, 5).

During the next 12 to 24 months, we would like to continue to hold two seminars or webcasts per year and to increase communication among our members on matters of current interest. We do not expect to need additional support from the Section.

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