

**COMMERCIAL LITIGATION COMMITTEE**  
**REPORT PREPARED FOR THE DECEMBER 3, 2016 COUNCIL MEETING**

**1. Next Scheduled Meeting of the Committee.**

No meetings are currently scheduled, but we anticipate that a seminar on the Defense of Trade Secrets Act will occur in early 2017. The event will be cosponsored by the Intellectual Property Law Section.

The Committee is also planning a program on antitrust law and class actions, which will be cosponsored by the Antitrust, Franchising & Trade Regulation Section. This will likely occur during the first half of 2017.

Finally, we expect to sponsor a program on Business Courts, which is tentatively set for May 2, 2017. So far, twelve Business Court Judges have expressed interest in participating.

**2. Council Approval.**

No matters require Council approval.

**3. Membership.**

The Committee comprises approximately 100 commercial litigators.

**4. Accomplishments Toward Committee Objectives.**

On November 12, 2015, the BLS (Commercial Litigation Committee and Small Business Forum) and the ADR Section co-sponsored a program, "Business Courts and Early ADR: The Latest from Bench and Bar." The program was very informative and well-attended. Eight Business Court Judges spoke on protocol in their particular courts and answered questions from the audience. Speakers included: Judge Yates (Kent); Judge Caretti and Judge Viviano (Macomb); Judge Alexander and Judge Potts (Oakland); Judge Brown (Washtenaw); Judge Popke and Judge Sullivan (Wayne); Earlene Baggett-Hayes; and Richard L. Hurford.

Due primarily to the schedule of the Chair of the Committee, the Commercial Litigation Committee did not hold any official programs in 2016. Nevertheless, the members of the Committee continued to communicate by e-mail on a wide variety of topics and updates on the law.

In 2017, we expect to accomplish our objective of holding two programs or webcasts per year.

**5. Meetings and Programs.**

See no. 4.

**6. Publications.**

The Committee has published no articles, although the Committee was responsible for articles in the spring 2016 issue of the Michigan Business Law Journal. Committee members Gerard Mantese and Daniel Quick were co-editors for that edition.

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

The Committee monitors proposed court rules as well as developments in the Business Courts. Also, any Committee member is invited to share updates on recent cases or other matters of interest through an informal listserv.

**8. Miscellaneous.**

**Respectfully submitted,**

Douglas L. Toering, Committee Chair  
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