

**COMMERCIAL LITIGATION COMMITTEE
ANNUAL REPORT PREPARED FOR THE
DECEMBER 2, 2017 ANNUAL MEETING**

Please describe your committee's activities during the 2016-2017 year toward achievement of the goals outlined in the Section's Strategic Plan. Each question below corresponds to a specific Section of the Plan to which reference may be made for further guidance in providing responses.

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).

On the afternoon of May 2, 2017, the Michigan Judicial Institute sponsored a program on Business Courts at the Hall of Justice in Lansing. Co-sponsored by the Commercial Litigation Committee, the seminar was informative and well-attended. Business Court Judges, ADR experts, litigators, in-house counsel, and transactional attorneys (including Justin Klimko) discussed various issues involving the Business Courts.

On November 28, 2017, the Commercial Litigation Committee and the Litigation Section will co-sponsor a program on the proposed changes to the discovery rules of the Michigan Court Rules.

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

See response to No. 1.

3. Committees chaired by one chair should add a co-chair or vice-chair. Committee leadership to report on growth in committee membership, and active involvement by existing and prospective members, in quarterly and annual reports to the Council. (Article I, 5 of the Strategic Plan).

The Committee chair is considering a co-chair or vice-chair. One important consideration is the level of involvement that such a person has had in the Committee.

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

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

(C) as appropriate, provide amicus curie briefs related to business-related issues being addressed by the courts; and

(D) educate and seek input from Michigan businesses, their owners and employees, and Michigan attorneys 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 of the Strategic Plan).

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

5. Include social activities as an element of Section activities and educational programs. (Article IV, 1 of the Strategic Plan).

The Committee's activities typically include both a social component and an educational component.

Respectfully submitted,

Douglas L. Toering, Committee Chair
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