

Kathleen A. Lang

Member and Director of Strategic Development

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PROMINENT ASSIGNMENTS

Counsel for Ford Motor Company in an ERISA class action claiming violations of fiduciary duties in the administration of Ford's employee savings plans.

Lead Michigan counsel for The Dow Chemical Company in a putative class action alleging dioxin contamination of property from historic discharge of materials into the Tittabawasee River. During pendency of the case, two successful appeals to the Michigan Supreme Court resulting in opinions of first impression in Michigan that: preclude claims for medical monitoring where no present physical injury exist and establish the standards in Michigan for certifying class actions.

Lead counsel for Ford Motor Company in a ten week arbitration filed by a supplier of computer software seeking damages in excess of \$75 million. Case is currently pending on appeal following an award.

Counsel for Ford Motor Company in litigation with exclusive supplier of automotive components used in Ford vehicles.

Co-lead counsel for Blue Cross Blue Shield of Michigan in two national class actions and one state class action commenced by physicians and other health care providers alleging RICO violations arising out of processing and payment of claims.

Lead counsel for Ford Motor Company in dealer litigation and arbitrations, both internationally and throughout the United States.

Lead Michigan counsel for Lorillard Tobacco Company in a series of trademark infringement litigation arising from sale of counterfeit cigarettes. In one of the cases, obtained a published decision from the 6th Circuit establishing the proper standards for preliminary injunctions in trademark litigation, overturning the lower court's denial of injunctive relief, and directing the trial court to enter a preliminary injunction without further proceedings.

Lead Michigan counsel for Microsoft Corporation in trademark and copyright infringement litigation arising from the sale of counterfeit software and other products. In one of the cases, received a published decision granting summary judgment, including an award of substantial attorney fees, which established standards for liability and damages in infringement cases in the Eastern District of Michigan.

Lead Counsel for MGM Grand Detroit in putative class action filed against all Detroit casinos arising out of proposed private enforcement of disassociated persons list at casinos. Dismissal of case affirmed by Michigan Court of Appeals and Michigan Supreme Court.

Lead counsel for MGM Grand Detroit and other Detroit casinos in class action alleging violations of the Michigan Consumer Protection Act in the use and operation of certain types of slot machines. The trial court dismissed the case prior to discovery and the Michigan Court of Appeals affirmed dismissal of claims.

Lead counsel for Boyd Gaming in environmental litigation filed by Native American tribe and successfully argued for denial of injunctive relief designed to stop construction of a multi-million dollar expansion of the Blue Chip riverboat casino in Indiana.

Co-lead counsel for Ford Motor Company in three month product liability/wrongful death fuel tank lawsuit resulting in a verdict of no cause of action for Ford.

REPRESENTATIVE CLIENTS

- Blue Cross Blue Shield of Michigan
- Continental Automotive Systems
- The Dow Chemical Company
- Ford Motor Company
- Ingersol Rand Corporation
- Lorillard Tobacco Company
- Magna International Inc. (and its affiliated companies)
- MGM Grand Detroit LLC
- Microsoft Corporation

AREAS OF PRACTICE EMPHASIS

- Automotive
- Business Torts
- Class Actions
- Commercial & Business Litigation
- Insurance
- Patent
- Product Liability Litigation
- Trademark & Copyright

ACKNOWLEDGEMENTS

- Listed in Best Lawyers in America (commercial litigation and product liability defense)
- Listed in Michigan Super Lawyers (including identified as one of the Top 50 Women Lawyers in Michigan)
- Identified as Litigation Star in Michigan, Benchmark Litigation, *the Guide to America's Leading Litigation Firms and Attorneys*
- Fellow in Litigation Counsel of America, a trial lawyer honorary society
- Fellow in the State Bar of Michigan Foundation

PROFESSIONAL INVOLVEMENT

- Member, Michigan Institute for Continuing Legal Education Litigation Advisory Board
- Member, Defense Research Institute (DRI), Commercial Litigation Steering Committee
Member, Membership Chair for Commercial Litigation Class Action SLG and Programs
Chair for Commercial Litigation Business Tort SLG
- State Bar of Michigan, Member of Judicial Task Force Business Impact Committee and Awards Committee
- Federal Bar Association, selected as Team Leader for New Lawyers' Trial Advocacy Program

COMMUNITY INVOLVEMENT

- Treasurer for multiple candidates running for election for Michigan judicial positions
- Pro bono representation of several women's shelters and other individuals, including a death row inmate
- Selected for advisory committee for litigation pending against the State Bar of Michigan

PUBLICATIONS AND PRESENTATIONS

- *Michigan Civil Procedure* (ICLE); lead editor and contributing author
- *Torts: Michigan Law and Practice* (ICLE); contributing author
- *Michigan Causes of Action Formbook* (ICLE); contributing author
- *Michigan Statute of Limitations* (ICLE); contributing author
- *Introducing Evidence at Trial* (ICLE), editor and contributing author
- *Comendium of Trade Secret and Employee Misappropriation Law* (DRI), contributing author
- Member of faculty, Michigan Institute for Continuing Legal Education Trial Advocacy Program and Deposition Skill Workshop, as well as frequent lecturer for Michigan Institute for Continuing Legal Education on variety of other substantive and procedure topics
- DRI Annual Commercial Litigation Seminar, *The Strategic Use of Motions in Class Actions* (2009)
- General Counsel Leadership Series, *The Evolving Role of General Counsel, Leadership in Challenging Times: A Roundtable Discussion* (2007)

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Served as Co-Counsel with Many National Firms, Including:

- Alston & Bird LLP
- DLA Piper US LLP
- Jones Day
- O'Melveny & Myers LLP
- Thompson Hine LLP

EDUCATION

Michigan State University, B.A. 1979, Business Law (graduated with honors)

University of Detroit Law School, J.D. 1982 (graduated with honors)