

**Trial History of David J. Gass, Member, Miller Johnson**

<b>Case Name, Number, and Jurisdiction</b>	<b>Year in which trial/mediation / occurred</b>	<b>Tried to Verdict? (Y/N)</b>	<b>Jury (Y/N)</b>	<b>Length of Trial</b>	<b>Role (i.e. lead counsel, co-counsel, etc.)</b>	<b>Opposing counsel's name and phone number</b>	<b>Co-counsel's name and phone number</b>	<b>Judge's/arbitrator's name and contact info</b>	<b>Result and comments re significance of the case (issues, amount in controversy, etc.)</b>
<b>Stryker Corp</b> v. XLIA U.S. District Court Case No. 1:17-cv-00066	2020 (Covid)	Y	Y	7 days	Lead	Charles Browning 248-594-6247	Jim Peterson 616-831-1740	Paul Maloney	Represented plaintiff in a bad faith claim. Jury came back in 1.25 hours awarding \$9.6 million, the entire amount requested.
<b>Dana Corp</b> v. American Axle et al, U.S. District Court Case No. 1:10-cv-450	2013		N	5 days	Co-counsel	William Schaefer 248-649-6000	Michael Wexler Seyfarth Shaw 312-460-5000	Robert Holmes Bell	Represented plaintiff in trade secret case. Trial completed. Decision pending.
<b>Stryker Corp</b> v. Zimmer et al, U.S. District Court Case No. 1:10-cv-1223	2013	Y	Y	10 days	Co-counsel	Bryan Hales 616-915-9266	Gregory Vogler McAndrews, Held & Malloy 312-775-8000	Robert Jonker	Represented plaintiff in patent case. Jury awarded \$70 million to plaintiff and found willfulness.
Ace Medical v. <b>Stryker Instruments</b> American Arbitration Association (AAA) Case # 51 122 Y 00705 10	2011	Y	Arbitrated	1-1/2 weeks	Lead	Joseph Murray 614-488-0400	Andy Portinga 616-831-1772	John Boyce, III jkbiii@boycelaw.net Collins. Fitzpatrick Collins_fitzpatrick@ca7.uscourts.gov Mitchell Marinello MMarinello@novackmacey.com	Plaintiff sought \$8 million in breach of contract claim. Arbitrators awarded \$510,000 plus interest.
<b>DeMaagd GMC-Nissan, Inc.</b> v. General Motors LLC (arbitration)	2010	Y	Arbitrated	2 days	Lead	Victor Torres 313-963-3873	Jason Mahar 616-831-1727	Martin Weisman (arbitrator) 248-258-2700	Represented plaintiff in statutory arbitration to reinstate terminated automotive

<b>Case Name, Number, and Jurisdiction</b>	<b>Year in which trial/mediation/ occurred</b>	<b>Tried to Verdict? (Y/N)</b>	<b>Jury (Y/N)</b>	<b>Length of Trial</b>	<b>Role (i.e. lead counsel, co-counsel, etc.)</b>	<b>Opposing counsel's name and phone number</b>	<b>Co-counsel's name and phone number</b>	<b>Judge's/arbitrator's name and phone number</b>	<b>Result and comments re significance of the case (issues, amount in controversy, etc.)</b>
									dealerships. Plaintiff was reinstated.
<b>Commerce LLC v. The Cisco Companies</b> U.S. District Court Case No. 1:08-cv-860	2009	Y	N	1 day (injunction hearing)	Lead	James Roach 248-540-7082	Sara Lachman 616-831-1789	Robert Jonker Douglas Wagner (mediator) 616-752-2130	Represented defendant Cisco in claim for injunctive relief – breach of non-compete and stealing trade secrets. Decision favorable to defendant, Cisco.
<b>CornerWorld Corp. v. Timmer</b>  U.S. District Court Case No. 1:09-cv-1124 Preliminary Injunction	2009	Y	N	1 day	Lead	Ronald VanderVeen 616-392-1821	Joseph Gavin 616-831-1722	Robert Holmes Bell 616-456-2021	Represented plaintiff in claim that defendant shareholder had hijacked public company. Decision favorable to plaintiff.
<b>MacDonald's Industrial Products v. DaimlerChrysler</b>  Kent Circuit Case No. 04-5946-CK	2009	N	Y	Settled after 2 weeks	Lead	Stephen Turner 616-608-1112	Jon March 616-1729	Paul Sullivan 616-632-5099	Represented plaintiff in claim that Daimler Chrysler wrongfully terminated plaintiff as supplier. Some 40 depositions, including upper-management and former president of Chrysler. Case settled mid-trial for \$3.75 million in favor of plaintiff.

Case Name, Number, and Jurisdiction	Year in which trial/mediation/ occurred	Tried to Verdict? (Y/N)	Jury (Y/N)	Length of Trial	Role (i.e. lead counsel, co-counsel, etc.)	Opposing counsel's name and phone number	Co-counsel's name and phone number	Judge's/arbitrator's name and phone number	Result and comments re significance of the case (issues, amount in controversy, etc.)
Detroit Medical Center v. <b>Karmanos Cancer Institute et al</b>  Wayne Circuit Court Case No. 07-712136	2008	Y	N	5 days	Co-counsel	Charles Raimi 313-966-2040	Jon March 616-831-1729	Gershwin Drain 313-224-2474	Represented defendant in dispute over decision of Karmanos to move Cancer Center to location other than DMC. Judgment for DMC.
<b>Stryker v. XLIA and TIG</b>  USDC Case Nos. 4:01-cv-157 and 1:05-cv-0051	2007	Y	N	5 days	Lead	David Bloss 616-977-3688	D. Andrew Portinga 616-831-1772	Robert Holmes Bell 616-456-2021	Represent plaintiff in insurance coverage litigation regarding product liability claims. Judgment for plaintiff affirmed in substantial part on appeal. Defendant has paid \$40 million. \$15 million in dispute on remand.
Karl Sachs et al v. <b>Burke Porter Automotive</b>  Arbitration	2006	Y	N	2 weeks	Lead	Bruce Lazar 248-489-8600	n/a	Peter Houk (former circuit judge) 517-482-5800	Represented defendant in contract dispute. Award mostly favoring defendant.
Rozek v. <b>Concept Industries</b> and Johnson Controls Ottawa Circuit Case No. 02-43925-CK	2006	Y	N	4 days	Lead for Concept Ind.	Kenneth Doss 616-398-9793	Marc Newman 248-841-2200	Ed Post 616-846-8320	Represented defendant in \$3 million breach of contract claim. No cause for plaintiff and award of sanctions of \$750,000 against plaintiff for perjury.

<b>Case Name, Number, and Jurisdiction</b>	<b>Year in which trial/mediation/ occurred</b>	<b>Tried to Verdict? (Y/N)</b>	<b>Jury (Y/N)</b>	<b>Length of Trial</b>	<b>Role (i.e. lead counsel, co-counsel, etc.)</b>	<b>Opposing counsel's name and phone number</b>	<b>Co-counsel's name and phone number</b>	<b>Judge's/arbitrator's name and phone number</b>	<b>Result and comments re significance of the case (issues, amount in controversy, etc.)</b>
Evo v. <b>Clark Foundation</b>  AAA Case No. 54 160 001 66 99	2000	Y	N	2 weeks	Lead	Michael Gagleard 248-647-8590	D. Andrew Portinga 616-831-1772	Patrick Martin (arbitrator)	Represented defendant in shareholder dispute by former president of Red Wings involving Capitol Centre in Lansing. Compromise award.
RT Assoc. v. <b>MacDonald's Industrial Products</b>  Oakland Circuit Case No. 98-10523-CK	2000	N	N	4 days	Lead	Stephen Valentine 248-851-3010	S. Grace Davis phone unknown	Wendy Potts 248-858-0365	Represented defendant in claim for substantial sales commissions. Part of case dismissed on summary disposition. Settled mid-trial.
Interlake v. <b>Gordon Food Service</b>  USDC Case No. 1:97-cv-653	2000	Y	N	3 weeks	Co-Counsel	Schiff Hardin & Waite Chicago IL	Jon Muth 616-831-1736	David McKeague 517-377-1563	Represented defendant in construction dispute involving Ohio distribution center. Plaintiff demanded \$2.9 million at beginning of trial. Judgment of \$760,000.
Holbrook v. <b>Smiths Industries</b>  Kent Circuit Case No. 96-04001-NI	1999	Y	Y	2 weeks	Lead	Stephen Drew 616-454-8300	Catherine Mish 616-456-3181	Dennis Kolenda 616-336-1034	Represented defendant in handicap discrimination claim. Verdict for plaintiff for \$150,000, substantially less than demand.

Case Name, Number, and Jurisdiction	Year in which trial/mediation/ occurred	Tried to Verdict? (Y/N)	Jury (Y/N)	Length of Trial	Role (i.e. lead counsel, co-counsel, etc.)	Opposing counsel's name and phone number	Co-counsel's name and phone number	Judge's/arbitrator's name and phone number	Result and comments re significance of the case (issues, amount in controversy, etc.)
-------------------------------------	---	-------------------------	------------	-----------------	--	--	------------------------------------	--	---

									Settled after trial.
<b>Yamaha Music re B &amp; E Sales</b>  U.S. Bankruptcy Court- Eastern District of Mich.  Adversary preference action	1998	Y	N	2 weeks	Lead	Gary Cunningham	Steven Roach 313-496-7933	Walter Shapero 313-234-2640	Represented debtor in preference action. Decision for debtor.
<b>U.S.A. v. Taylor et al</b>  USDC Case No. 1:90-cv-851	1998	Y	N	3 weeks	Co-counsel	W. Francesca Ferguson 616-456-2510	Jon Muth 616-831-1736	Richard Enslin	Represented defendants in environmental enforcement action involving northern Michigan property. Judgment for defendants.
<b>U.S. v. Taylor</b>  USDC Case No. 1:94-cv-485	1997		N	1 day	Lead	Janice Kittel Mann 616-632-6710	n/a	Robert Holmes Bell	Represented defendant in enforcement action for huge ship abandoned on Lake Charlevoix Favorable judgment.
<b>Remer Plumbing v. Allied Mechanical</b>  Ingham Circuit Case No. 96-83929-CK	1997	N	Y	2 days	Lead	Timothy Curtiss 517-753-3461	Susan Hoekema phone unknown	James Giddings 517-483-6524	Represented defendant in contract dispute. Settled mid-trial.
<b>Joerger v. Gordon Food Service</b>	1996	Y	Y	2 weeks	Lead	Gregory Prasher 616-454-7780	James Peterson 616-831-1740	Dennis Kolenda 616-336-1034	Represented defendant in million dollar claim

Case Name, Number, and Jurisdiction	Year in which trial/mediation/ occurred	Tried to Verdict? (Y/N)	Jury (Y/N)	Length of Trial	Role (i.e. lead counsel, co-counsel, etc.)	Opposing counsel's name and phone number	Co-counsel's name and phone number	Judge's/arbitrator's name and phone number	Result and comments re significance of the case (issues, amount in controversy, etc.)
Michigan Court of Appeals Consolidated Case Nos. 187495 and 185574									for breach of contract. No cause. Affirmed on appeal. 224 Mich App 167, 568 NW2d 365 (June 1997).
Jamet (formerly Ehresman) v. <b>Benteler</b>  Allen Circuit (IN) Case No. 02C01-9210-P-809	1996	Y	N	1 week	Lead	Kurt Bentley Grimm 219-925-4514	n/a	Everett Goshorn (phone # unknown)	Represented defendant in breach of contract involving purchase and sale of business. No cause.
Coveyou Meadows v. <b>Coveyou</b>  Emmet Circuit Case No. 93-2313-CH	1996	Y	N	1 week	Lead	Wayne Richard Smith 231-526-1564	Robert Scott 616-831-1752	Unknown	Represented defendant in property dispute on Walloon Lake. Judgment for plaintiff.
Bono v. <b>VanEerden</b>  Kent Circuit Case No. 90-69626-CK	1992	Y	N	2 weeks	Lead	Frederick Boncher 616-647-8277	Gordon Quist 616-456-2253	Michael Smolenski (deceased)	Represented defendant in breach of contract action. Demand of \$1 million. Judgment for \$75,000.
Naseman v. <b>Lear Siegler</b>  USDC Case No. G-82-939-CA 5	1985	N	Y	1 week	Co-Counsel	Lawrence Emery 517-337-4866	Jon March 616-831-1729	Douglas Hillman (deceased)	Represented defendant in age discrimination case. Settled mid-trial.
<b>Herndan</b> v. Arnie Bohn  Grand Traverse County	mid-1980's	Y	N	2 days	Lead		Robert Scott 616-831-1752		Represented plaintiff in business dispute regarding interest in

<b>Case Name, Number, and Jurisdiction</b>	<b>Year in which trial/mediation/ occurred</b>	<b>Tried to Verdict? (Y/N)</b>	<b>Jury (Y/N)</b>	<b>Length of Trial</b>	<b>Role (i.e. lead counsel, co-counsel, etc.)</b>	<b>Opposing counsel's name and phone number</b>	<b>Co-counsel's name and phone number</b>	<b>Judge's/arbitrator's name and phone number</b>	<b>Result and comments re significance of the case (issues, amount in controversy, etc.)</b>
Circuit Court									Mitchell Creek Golf Course. Judgment for plaintiff.