



Thomas R. TerMaat

Shareholder

1700 East Beltline, N.E.
Suite 200
Grand Rapids, MI 49525-7044
T: 616.726.2251
F: 616.726.2299
ttermaat@fosterswift.com

Tom TerMaat brings over 25 years of private practice experience to his clients' benefit. He practices in the areas of commercial litigation, real estate litigation, general civil litigation, insurance defense, transportation and trucking law, and premises liability.

Realizing commercial disputes are a common and often mismanaged cost of doing business, Tom is aggressive in seeking ways to provide a vigorous and efficient resolution to a dispute. Tom is skilled in effective representation of clients in settlement meetings, arbitration and mediation proceedings as well as in the courtroom. The types of matters he handles for clients include: enforcement of real estate purchase agreements; construction lien litigation; business to business contract disputes; defense of trucking and transportation companies; insurance coverage analysis and litigation; and defense of premises liability claims.

Additionally, Tom is recognized as one of the leading experts in Michigan No-Fault Automobile Insurance Law. He has delivered dozens of educational programs on No-Fault Insurance to clients and insurance company claim adjusters over the years. Tom has also distributed numerous legal alerts on the topic and annually updates and publishes his manual, *Michigan No-Fault Insurance Outline, First Party Claims*. He was selected by his peers for inclusion in *The Best Lawyers® in America* making him a leading insurance specialist in Grand Rapids.

Committed to the West Michigan community, Tom has been active in a wide range of local legal, community and political organizations since starting his career. Additionally he has served on the firm's Recruiting Committee since 2012 and was appointed to Chair in 2019.

PRACTICE AREAS

Insurance Defense
Commercial Litigation
Real Estate Litigation
General & Commercial Litigation
No-Fault Litigation
Transportation Law

EDUCATION

Indiana University - Bloomington
School of Law, J.D., 1994
Hope College, B.A., *cum laude*, 1990

BAR AND COURT ADMISSIONS

Michigan
U.S. Supreme Court
U.S. District Court for the Western
District of Michigan
U.S. District Court for the Northern
District of Indiana
U.S. Sixth Circuit Court of Appeals

HONORS & RECOGNITIONS

AV® Preeminent™
Martindale-Hubbell
Best Lawyers® in America -
Insurance Law, 2010-2025
Special Assistant Attorney General,
Michigan, 2011-2015
"Top Lawyer", *Grand Rapids
Magazine*, 2019 and 2020 in
Insurance Law



SPEAKING ENGAGEMENTS

Michigan's 2019 No-Fault Reform, *Client Risk Control Workshop*, September 2019

Overview of Commercial General Liability Insurance Policies, *Client Leadership Academy*, July 2019

Premises Liability and Application of the Open and Obvious Doctrine, *client leadership academy*, *Client Leadership Academy*, April 2019

Premises Liability and Open and Obvious in Michigan, *Client Quarterly Safety Meeting*, September 2018

Premises Liability and Application of the Open and Obvious Doctrine, *client leadership academy*, *Client Leadership Academy*, March 2017

Premises Liability and Application of the Open and Obvious Doctrine, *client leadership academy*, October 2016

Premises Liability and Application of the Open and Obvious Doctrine, *client leadership academy*, *Client Quarterly Safety Meeting*, July 2015

Ethics and the Insurance Industry, *CPCU Society - Western Michigan Chapter*, March 17, 2015

Premises Liability and Application of the Open and Obvious Doctrine, *client leadership academy*, *Client Leadership Academy*, February 2015

Recent Motorcycle Decisions, *Insurance Institute of Michigan*, September 16, 2013

Correcting Mistakes in Property Descriptions, *client educational seminar*, April 2011

Revisions to Process for Foreclosure by Advertisement, *client educational seminar*, April 2011

Michigan Insurance Claims, *Insurance Institute of Michigan*, September 20, 2010

PUBLICATIONS

Michigan Court of Appeals Ruling Adds Challenges for Premises Owners and Their Insurers as to Premises Liability Cases, *Insurance Regulatory News E-blast*, January 22, 2024

Michigan Supreme Court Overturns Itself on Application of Tolling to "One Year Back" Rule, *Foster Swift No-Fault E-News*, June 14, 2012

"Most Important Opinions of the Year", *Michigan Lawyers Weekly*, 2012 (Insurance), 1999 (No-Fault)

"Best in the West; West Michigan's Best Lawyers", *Grand Rapids Magazine*, 2010 and 2019 (Insurance Law)

Martindale-Hubbell Bar Register of Preeminent Lawyers - Civil Trial Practice, Insurance Defense, Transportation Law, and General Practice

National Order of Barristers Honors Society

Indiana University National Trial Competition Team, Captain

American Jurisprudence Award, Trial Process



Michigan Court of Appeals Gives Guidance for Setting Attendant Care Rates, *Foster Swift No-Fault E-News*, December 8, 2011

Michigan No-Fault Insurance Outline, (updated annually since 2001)

Michigan Supreme Court Holds No-Fault Damages Limitation Does Not Apply to State Actors or Minors, *Foster Swift No-Fault E-News*, August 3, 2010

The Buzz on Electronic Discovery, March 2009

Are 'Black Ice' Cases Sliding in a New Direction?, December 2008

Think Twice, It's All Right, November 2008

Michigan OFIR Raises Monthly Maximum for No-Fault Wage Loss, September 2008

That Doggone Law, Part II, August 2008

FOCUS! Driver Distraction May Lead to Company Liability, *Published in the quarterly newsletter of client's risk control division*, July 2008

That Doggone Law, Part I, July 2008

Let the Master Answer, June 2008

Upon Presentation and Deliberation after Litigation, There Will Be an Evaluation; An Overview of Michigan Court Rule Case Evaluation, May 2008

The Court of Appeals' Back-and-Forth on Michigan No-Fault Coverage, April 2008

Check Your Automobile Insurance Policy - Court says not Everyone is Covered!, January 2008

Premises Liability: No Duty to the Careless in Michigan, November 28, 2006

Michigan No-Fault Insurance Outline, First Party Claims, (updated annually since 2001)

Michigan Bar Examination, author of question and model answer on No-Fault Insurance, February 2001, July 2001, July 2002

MEMBERSHIPS & AFFILIATIONS

Legal Affiliations:

- State Bar of Michigan
- Grand Rapids Bar Association
- Michigan State Bar Foundation, Fellow, 2014-Present
- State Bar of Michigan Representative Assembly, 2010-2016
- Certified Case Evaluator, 17th Circuit Court, Kent County, Michigan, 2009-Present
- American Inns of Court, Gerald R. Ford Chapter, 1998-2001
- Hillman Trial Advocacy Program, 1997-1998

Community Involvement:

- Kent County Officers, Compensation Commission, 2011-Present



- Central Reformed Church
 - Vice Chair & Deacon, 2014-2017
 - Personnel Committee, Chair, 2014-2017
 - Executive Committee, 2015-2017
 - Pastoral Transition Team, 2017-2018
 - Music Taskforce, 2018
 - GAP PAC (Political action committee of young executives, professionals, and small business owners); Founder and Vice President, 2002-2015
 - John Ball Zoo, Advisory Board, 2002-2007
 - "Friends of West Michigan Business" (Grand Rapids Area Chamber of Commerce PAC); Steering Committee, 2002-2006
 - The Other Way Ministries (booster and *pro bono* legal services)
 - Kent County Republican Executive Committee, 2000-2004 and 2009-2011
 - Westtown Jubilee Housing (booster and *pro bono* legal services)
 - Third Congressional District Executive Committee, 2000-2004
-