



## Thomas R. Meagher

Shareholder

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Tom Meagher is a litigator and appellate practitioner with more than 30 years of experience in state and federal trial and appellate courts. He concentrates his practice on the defense of employment lawsuits, commercial litigation and appeals. This includes the defense of cases involving constitutional law, civil rights and discrimination, whistleblower, disability and licensing claims on behalf of private and municipal clients.

Tom handles appeals for a variety of clients in a wide range of cases. He also serves as a case evaluator throughout the state. Tom is recognized by his peers and the bench for his integrity and legal abilities.

### REPRESENTATIVE MATTERS

- Unanimous favorable decision of Michigan Supreme Court in case of first impression regarding retroactive application of statute governing injury claims. *McLain v Diocese of Lansing et al*, Mich S Ct Dk # 165741 & 165742 (2024)
- Published Michigan Court of Appeals decision on issue of first impression regarding newly enacted statute of limitations. (*McLain v Diocese of Lansing et al*\_ Mich App\_ (2023) (Docket No. 360163)
- Dismissal of both state and federal lawsuits, both affirmed on appeal, where plaintiffs pursued over \$10,000,000 in development dispute. (*Braun v Ann Arbor Charter Township*, 262 Mich App 154 (2004); *Braun v Ann Arbor Charter Township*, 519 F3d 564 (6th Cir 2008))
- Unanimous victory from Michigan Supreme Court in zoning case of first impression. (*Hendee v Township of Putnam*, 486 Mich 556 (2010))

### PRACTICE AREAS

General & Commercial Litigation  
Employment Litigation  
Appellate Practice  
Zoning & Land Use  
Health Care  
Licensing - Professional - Business - Government

### EDUCATION

Wayne State University Law School,  
J.D., 1981, *magna cum laude*  
American Graduate School of  
International Management, M.I.M.,  
1989  
Michigan State University, B.A.,  
1978, Honors College, with high  
honors

### BAR AND COURT ADMISSIONS

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

### HONORS & RECOGNITIONS

Theodore Swift Civility Award,  
Ingham County Bar Association,  
2022  
AV® Preeminent™  
Martindale-Hubbell



- Successfully briefed and argued to the Michigan Court of Appeals two cases of first impression regarding First Amendment Religious Freedoms. (*Weishuhn v Catholic Diocese*, 279 Mich App 150 (2008) and 287 Mich App 211 (2010))
- Dismissal at the end of Plaintiff's proofs, affirmed on appeal, in land use case in which Plaintiff sought \$14,000,000. (*TG Development v Mt Morris Twp*, 2004 Mich App LEXIS 810))
- Verdict and judgment for small business owner in sex discrimination case in which plaintiff sought damages exceeding \$1,000,000 (no appeal).
- Author of Amicus Curiae brief supporting successful appeal of seminal case from Michigan Supreme Court regarding expert witnesses. (*Craig v Oakwood Hospital*, 471 Mich 67 (2004))
- Dismissal at close of plaintiff's proofs in two-week trial of triple drowning case. (affirmed on appeal) (*Hutchinson v Township of Portage*, 2003 Mich App LEXIS 1911; (leave denied))
- Dismissal on second day of trial in favor of lobbying firm in covenant-not-to-compete case.
- Verdict and judgment for township and building inspector following three day trial alleging insufficient inspection led to total loss of \$500,000 home (no appeal).
- Dismissal on summary disposition, affirmed on appeal, in land use dispute involving damages exceeding \$1,000,000. (*Pittsfield Investors v Pittsfield Charter Township*, 2013 Mich App LEXIS 516))
- Dismissal of Whistleblower Protection Act case, affirmed on appeal. (*Purcell v Township of Tompkins*, 2011 Mich App LEXIS 777)
- Dismissal following plaintiffs' proofs in three-day trial of development case, affirmed on appeal. (*Whitmore Lake 23 v Ann Arbor Charter Township*, 2011 Mich App LEXIS 790)
- Dismissal, affirmed on appeal, of Township supervisor's First Amendment retaliation claim against Township. (*Perkins v Township of Clayton*, 411 F App'x 810 (6th Cir 2011))
- Dismissal in favor of Township of adult entertainment zoning dispute. (*LittleMack Entertainment II v Township of Marengo*, 621 F Supp 2d 570 (WD Mich 2008))

*Best Lawyers® in America* -  
Commercial Litigation, 2013-2025

2010 Service Award from the  
Hmong-American Association for 15  
years of pro bono services

2005 Attorney of the Year, Michigan  
Participating Plan (State-Wide  
Municipal Insurer)



- Dismissal of plaintiff's claims following trial, affirmed on appeal, in case raising constitutional due process and equal protection issues. (*Chestnut Development v Marion Township*, 2010 Mich App LEXIS 1147)
- Dismissal on summary disposition, affirmed on appeal, of plaintiff's claims against building inspector and others arising from major flooding in community. (*Cummins v Robinson Township*, 283 Mich App 677 (2009))
- Dismissal, affirmed on appeal, of first amendment freedom of speech and association claims brought by state representative against municipality. (*Agema v City of Allegan*, 2016 US App LEXIS 17567)

## **SPEAKING ENGAGEMENTS**

**Human Resources: Planning To Avoid Litigation**, *Michigan Township Participating Plan*, January 23, 2020

**Perspective of Defense Counsel Representing Municipalities in Religious Land Use (RLUIPA) Issues**, *Federal Bar Association: Civil Rights Law Section*, October 30, 2018

**Employment Discrimination, Zoning, Disabilities and Whistleblower Claims**, September 2017

**Annual Update of Michigan Law: Employment Discrimination and Whistleblower Claims**, *TM HCC Public Risk Claim, Inc. Annual Seminar*, September 22, 2016

**Annual Update of Michigan Law: Employment, Immunity and Zoning**, September 17, 2015

**Annual Update of Michigan Law: Immunity, Discrimination Law, Whistleblower Protection Act, Michigan Land Use and Zoning & First Amendment Retaliation**, *HCC Public Risk Claim, Inc. Annual Seminar*, September 17, 2014

**Freedom of Speech**, *National Association of Legal Secretaries*, October 23, 2013

**Annual Update of Michigan Law: Sex, Age & Disability Discrimination, Whistleblower Protection Act**, *HCC Public Risk Claim, Inc. Annual Seminar*, September 5, 2013

**Michigan No-Fault Insurance Law Update**, *Hastings Mutual Insurance Company*, November 2010

**Ripeness and Remedies in Exclusionary Zoning Cases**, *State Bar of Michigan, Public Corporation Law Section*, February 5, 2010

**Municipal Litigation**, *State Bar of Michigan Public Corporation Winter Meeting*, January 2010

**The Bench, The Bar and The Ethical Concerns - Moderator**, *Michigan Defense Trial Counsel*, December 2008

**Michigan's Whistleblower Protection Act**, *Annual Conference, Michigan Participating Plan*, September 2007

**The Planning & Zoning Game: Playing to Win**, *Annual Conference, Michigan Participating Plan*, December 2006

**Michigan Governmental Immunity Update**, *Annual Conference, Michigan Participating Plan*, September 2006

**Premises Liability**, *Insurance Institute of Michigan Annual Claims Seminar*, September 2005



## **PUBLICATIONS**

**Q&A: New DOJ Rule Requires State & Local Government Websites, Apps to be ADA Accessible,**  
*Foster Swift Municipal Law News E-blast*, April 22, 2024

**Recent Court Decisions Make Clear that Municipalities Must Identify Specific Litigation to be Discussed During Closed Meeting,** *Foster Swift Municipal Law News*, August 14, 2018

**Acronyms That Can Cost You Money: A Defense Lawyer's Primer On Employment Law - Whistleblowers Protection Act,** *Foster Swift Employment, Labor & Benefits News*, December 14, 2016

**Acronyms That Can Cost You Money: A Defense Lawyer's Primer On Employment Law - Persons With Disabilities Civil Rights Act,** *Foster Swift Employment, Labor & Benefits News*, November 17, 2016

**Acronyms That Can Cost You Money: A Defense Lawyer's Primer on Employment Law,** *Foster Swift Employment, Labor & Benefits News*, October 31, 2016

## **MEMBERSHIPS & AFFILIATIONS**

### **Legal Affiliations:**

- American Board of Trial Advocates
  - Member
- American Bar Association
  - American Bar Foundation, Fellow
  - Appellate Section
  - Labor & Employment Law Section
  - Litigation Section
- State Bar of Michigan
  - State Bar Foundation, Fellow
  - Appellate Practice Section
  - Labor & Employment Law Section
  - Litigation Section
  - Public Corporation Law Section
  - Real Property Law Section
- Ingham County Bar Association
- Michigan State Bar Foundation, Fellow
- Federal Bar Association

### **Industry & Professional Associations:**

- Michigan Supreme Court Historical Society
- Michigan Supreme Court Advocates Guild



- Michigan Defense Trial Counsel, Past Member of Board of Directors & Past Chair of Amicus Curiae Section
  - Defense Research Institute
  - Association of Defense Trial Attorneys
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