

## Manufacturing

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Manufacturing is one of the largest and diverse sectors represented by Miller Canfield lawyers worldwide. Building on our proven automotive platform, we partner with manufacturing companies to help them develop strategies to manage their workforces, protect their assets, resolve business disputes, expand operations around the world, and navigate often complex regulatory environments in which they operate.

Our team provides legal solutions and business advice in all areas including:

- Commercial transactions and contracts
- Supply and licensing agreements
- Greenfield investment
- Environmental matters
- Intellectual property protection and prosecution
- Mergers and acquisitions
- Joint ventures
- Foreign direct investment
- Economic incentives
- Tax
- International trade issues, including customs and export controls
- Product safety, recalls and warranties
- Real estate
- Bankruptcy, insolvency and restructuring
- Litigation and international dispute resolution
- Regulation and compliance
- Labor, unions and employment

### Representative Matters

Act as chief outside counsel for several tier 1 and tier 2 automotive and aerospace manufacturing companies and regularly provide advice and counsel concerning a wide variety of matters, including compliance, commercial agreements and disputes, intellectual property, environmental, and employment

Miller Canfield acted as U.S. counsel to Alfred Kärcher, the world leader in cleaning technology such as high-pressure washers, in its acquisition of Max Holder GmbH, a market leader in the development of municipal vehicles, advising on all U.S. aspects of the transaction from structure, documentation, labor, tax, and environmental to closing. The Miller Canfield team worked closely with Alfred Kärcher's legal teams in Canada, Croatia, Germany, and Italy to ensure a seamless integration of the U.S. portion of the transaction.

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Miller Canfield represented a creditor in an involuntary bankruptcy filing against a high-tech pallet manufacturer. The case resolved many long-simmering disputes between secured lenders, the debtor, and creditors, and resulted in the creditor successfully acquiring the assets of the Debtor manufacturer. Notably, the landlords had obtained orders evicting the Debtor and the secured lender was at the doorstep of a sweetheart foreclosure sale of the assets. Miller Canfield successfully maneuvered our client through the bankruptcy process, allowing our client the opportunity to be the successful bidder at a public auction of the assets.

Negotiation and closing of contract manufacturing agreements, cross-licensing arrangements and sale of goods terms and conditions between German and Polish companies

Secured multiple preliminary injunctions and/or favorable settlements for large automotive manufacturer against suppliers arising out of disputes on pricing, purchase order terms and conditions, disruption costs and sub-supplier delays

Represented global auto maker in age and race discrimination employment class action matters

Defended a manufacturing company and obtained summary judgment in case concerning corporate dissolution and allegations of breaches of various contracts and shareholder agreements, fiduciary duties and bad faith

Successfully defended automotive OEM in multiple litigations concerning allegedly faulty products

Served as trial counsel in hundreds of product liability cases, including the defense of design, manufacturing, UCC and warning theories, including:

- Automotive (airbags, brakes, engines, fires, seats, rollover and roof crush)
- Chemicals (PFAS, benzene, methane, lead, VOCs, carbon monoxide, methyl ethyl ketone, sulfur dioxide, hydrogen sulfide)
- Consumer Products (food contamination, household products, tobacco and tools)
- Industrial Equipment (storage tanks, pipeline, hi-lo, vertical broaching machine, lifts)
- Oil and Gas
- Tires and Wheels (over-inflation, under-inflation, tread defects, structural wheel challenges)

Provided advice and counsel to a manufacturing employer in matters related to COVID-19 issues in the workplace, layoffs and furloughs, and personnel policies

Provided advice and counsel to a furniture manufacturer in matters related to various labor and employment matters, including discrimination claims, layoffs, and policies

Carl Zeiss Meditec in eight-figure sale of hydrophilic intraocular lens manufacturing division spin-out and sale to Shanghai Haohai Biological Technology Co., Ltd.

Represented a manufacturer of luxury home improvement products in all labor and employment matters and defended the employer against discrimination and harassment claims and contract disputes

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Assisted a foreign auto parts manufacturer in the purchase of a former General Motors light-duty truck plant in Moraine City, Ohio, a \$200 million project that brought more than 800 jobs to the area

Assisted a Canadian technology company with a U.S. subsidiary to classify its robot technology under U.S. export controls, including robot components, software and technology, along with accompanying cameras, sensors and lasers

Represented North American unit of an international automotive supplier with respect to all facets of its office, warehouse, and manufacturing facility leasing needs in the United States

Represented Mexican auto supplier Metalsa SA de CV on its \$150 million acquisition of the structural products business from US-based Dana Holding Corp

Defended local manufacturing company and obtained summary judgment in case concerning corporate dissolution and allegations of breaches of various contracts and shareholder agreements, fiduciary duties and bad faith

Successfully represented a multinational manufacturer in a trademark dispute against a former employee who was misappropriating trademarks as part of a bait and switch scheme, obtaining judgment against the former employee and a permanent injunction enjoining the wrongful activities

Successfully defended a software manufacturer in class action litigation

Successfully defended a Canadian manufacturer in a dispute with a steel supplier in U.S. federal court

Represented major manufacturer in a DOC and ITC investigation into certain steel wheels supplied from the People's Republic of China with respect to potential anti-dumping (ADD) and countervailing duties (CVD)

Represented multiple United States-based and multinational manufacturing companies with international supply chains in tariff and duty challenges imposed under Section 301 of the Trade Act of 1974, one of the principal statutes by which the United States enforces trade agreements and addresses unjustifiable burdens on U.S. commerce