



Laura J. Genovich

Shareholder

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Laura Genovich is a shareholder in the Foster Swift's Grand Rapids office. Laura practices municipal law, appellate law, and bankruptcy/commercial law and is the Chair of the firm's Appellate Practice Group.

MUNICIPAL AND LAND USE LAW

Counsel for Municipalities

Laura serves as general counsel for counties, cities, villages, and townships across the state and is known for her legal expertise, responsiveness, and ability to communicate clearly to clients and their constituents. Her areas of municipal law expertise include:

- Land use and zoning
- Election law and campaign finance issues
- Marihuana/cannabis ordinances
- Parliamentary procedure/Robert's Rules of Order (as a member of the National Association of Parliamentarians)
- Freedom of Information Act (FOIA) and Open Meetings Act (OMA) compliance
- Alternative energy (wind and solar) regulations
- Labor/employment matters
- Real estate transactions
- Special assessments and property tax exemptions
- Contract drafting and negotiation

Counsel for Private Clients

Laura also works with both public entities and private clients (including developers and neighborhood groups) on land use matters, including development agreements, annexations, Act 425 agreements, and

PRACTICE AREAS

Appellate Practice
Bankruptcy & Restructuring
General & Commercial Litigation
Collections / Creditor - Debtor Rights
Municipal & Public Entity Law
School Law Services
Election & Campaign Finance Law
Coronavirus Pandemic/Crisis Support Task Force
Governmental Relations
Property Tax
Real Estate Development
Renewable Energy
Zoning & Land Use

EDUCATION

Thomas M. Cooley Law School, J.D., 2008, *summa cum laude*
Ohio University, B.S., 2005, *summa cum laude*, Communications

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



zoning approvals (such as special land use permits and rezonings).

LITIGATION & APPELLATE LAW

A seasoned advocate, Laura regularly represents local governments and private clients in trial-level and appellate cases. Recent appellate victories include:

- *Beeman et al v Muskegon County Treasurer* (Michigan Court of Appeals, 2023) (upholding decision in favor of county treasurer and holding as a matter of first impression that Section 78t of the General Property Tax Act is constitutional).
- *Heos v City of East Lansing* (Michigan Court of Appeals, 2023) (holding in favor of city in Headlee Amendment class action lawsuit).
- *Let Them Breathe v Health Department of Northwest Michigan* (Michigan Court of Appeals, 2023) (upholding dismissal of challenge to local health department order).
- *Cary Investments, LLC v City of Mount Pleasant* (Michigan Court of Appeals, 2022) (upholding dismissal of challenge to city's marijuana regulation ordinance and competitive process).

In addition to her extensive experience in Michigan's trial and appellate courts, Laura has argued before the United States Court of Appeals for the Sixth Circuit and co-authored a merits-stage amicus brief in the Supreme Court of the United States on behalf of a township client.

COMMERCIAL LITIGATION & BANKRUPTCY LAW

Laura represents individuals and businesses in contract and collection disputes in her commercial law practice, with a specialty in representing creditors and trustees in bankruptcy cases. Her depth of experience comes from more than a decade of service as a Chapter 7 and Chapter 12 bankruptcy trustee in the Western District of Michigan. Her areas of expertise include:

- Defending creditors against preference demands by bankruptcy trustees
- Preparing and substantiating proofs of claims
- Filing actions in Bankruptcy Court to determine that certain debts are nondischargeable
- Obtaining relief from the automatic stay

HONORS & RECOGNITIONS

Michigan Assessors Association's (MAA) Michigan Property Tax Achievement Award, 2017-2018

Best Lawyers® 2022 Litigation - Bankruptcy "Lawyer of the Year" in Grand Rapids

Best Lawyers in America® 2018-2024 for Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law

Best Lawyers in America® 2021-2024 (Litigation - Bankruptcy, Municipal Law)

"Top Lawyer", *Grand Rapids Magazine*, 2022 and 2023 in Municipal Law

"Top Lawyer", *Grand Rapids Magazine*, 2019 in Bankruptcy and Creditor/Debtor Rights Law

Michigan Super Lawyers "Rising Star," Bankruptcy: Business, 2012-2023

Michigan Lawyers Weekly, "Women in the Law", 2017

Grand Rapids Bar Association "3-in-10" Award, 2017



- Determining creditors' status as critical vendors
- Defending creditors in cases alleging violations of the automatic stay and discharge injunction

WRITING AND SPEAKING

In addition to her full-time service to clients, Laura is committed to improving the practice of law, and she has published a book on clear legal writing ("The Plain Language Practice"), which is also a frequent topic on her popular LinkedIn page. She has appeared on legal podcasts, including the XL Legal Podcast and the Thought Leadership Podcast, and she is an adjunct professor at Cooley Law School.

REPRESENTATIVE MATTERS

- In *Pegasus Wind LLC v. Tuscola County*, on April 10th, 2024, the Michigan Supreme Court upheld Tuscola County and the Tuscola Area Airport Zoning Board of Appeals (ZBA) previous decision blocking Pegasus Wind LLC's request to expand a wind farm after evidence showed that additional windmills would have posed a safety risk to aviators at a nearby airport. Genovich was part of the team that represented Tuscola County and the ZBA Board and praised the court's decision.
- In a unanimous opinion issued April 13, 2023, the Michigan Court of Appeals held in favor of the City of East Lansing in a class-action lawsuit related to electric franchise fees. *Heos v City of East Lansing*, Court of Appeals Case Nos. 361105, 361138. The Court of Appeals reversed earlier decisions of the Ingham County Circuit Court, which had granted summary disposition to plaintiff James Heos and other similarly situated Board of Water and Light customers. The Court of Appeals directed the circuit court to instead enter summary disposition in favor of the City on remand.
In reaching this decision, the Court of Appeals held that plaintiff's claim under the Headlee Amendment to the Michigan Constitution and his similar equitable claims were untimely because they were not filed within one year after the franchise ordinance was adopted. The Court of Appeals further held that plaintiff could not bring an action under the 1905 Foote Act because the Foote Act only applies to electric utility providers, not electric customers. Consequently, the City was entitled to dismissal of all of plaintiff's claims. The opinion is available online [here](#).
- Represented bankruptcy trustee in corporate Chapter 7 case and filed more than 40 avoidance lawsuits against preference recipients, resulting in the recovery of more than \$500,000 for the bankruptcy estate.
- Served as co-counsel for township in taxpayer's appeal of more than \$3 million in corrected and supplemental special assessments, which resulted in judgment favorable to the township.
- Represented township in a local resident's Chapter 11 bankruptcy case to enforce township's zoning ordinance.
- Represented creditor against trustee's demand for more than \$170,000 in alleged preference payments.
- Successfully defended public employer in arbitration, resulting in the denial of multiple grievances.



SPEAKING ENGAGEMENTS

Campaign Finance Act: What Can We Say?, *Michigan Township Association (MTA) Conference 2024*, April 24, 2024

Can They FOIA That?, *Michigan Township Association (MTA) Conference 2024*, April 24, 2024

Boosting Board Engagement and Ground Rules for Great Meetings, *Michigan Townships Association*, October 5, 2023

Case Law Update, *35th Annual Bankruptcy Seminar: Federal Bar Association Western District of Michigan*, July 29, 2023

Property Tax Exemptions, *Mid-Michigan Association of Assessing Officers*, June 22, 2022

State Corporate Rights in Bankruptcy, *United States Trustee Regional Training*, May 11, 2022

What to Do with a Marijuana Initiative Referendum, *Michigan Townships Association Annual Conference*, April 27, 2022

The Latest on Marihuana in Michigan, *Michigan Municipal League*, March 16, 2022

Municipal Ordinances, *Michigan Rural Water Association Annual Conference*, February 21, 2022

Legal issues "grab bag!", *County Road Association of Michigan Annual Legal Issues Symposium*, December 7, 2021

Case Law Update, *Consumer Bankruptcy Association Steven W. Rhodes Consumer Bankruptcy Conference*, November 11, 2021

What You Need to Know Now About Renewable Energy Ordinances, *Michigan Townships Association: Planning & Zoning Retreat*, October 28, 2021

Case Law Update, *Federal Bar Association's Bankruptcy Seminar*, September 24, 2021

Best Practices for Navigating Our Virtual World, *Western District of Michigan (Bankruptcy Best Practices Seminar)*, July 19, 2021

Consumer Case Law Update, *American Bankruptcy Institute: Consumer Bankruptcy Forum*, November 11, 2020

Chapter 5 & 12 Farm Bankruptcy Reorganization Statutes, *MICPA CPE Mega Conference*, October 22, 2020

Now That the Stay at Home Order is Lifted, What do Municipalities Need to Know?, *Michigan Municipal League*, June 8, 2020

Debtor's Bar of West Michigan 10th Annual Conference, *West Michigan Chapter of the Federal Bar Association*, January 20, 2020

Case Law Update, *Federal Bar Association Bankruptcy Section*, July 26, 2019

Marijuana - Up in Smoke, *Federal Bar Association Bankruptcy Section*, July 26, 2019

Working with Weed: How Marijuana Laws Will Affect Your Business, *Old Town Commercial Association*, May 20, 2019

Ethics Boot Camp, *MTA Annual Conference & Expo, April 2019*, April 3, 2019



Recent Bankruptcy Law Decisions and Current Consumer Bankruptcy Law Issues, *ABI: Consumer Bankruptcy Conference*, November 12, 2018

Current Chapter 13 and Chapter 7 Bankruptcy Topics and Issues, *BANKRUPTCY BEST PRACTICES SEMINAR 2018*, October 16, 2018

Ethics for municipal officials, *Macomb County Treasurers' Association*, September 11, 2018

Alternative Energy Regulation Tips, *2018 MTA Annual Conference: Michigan Townships Association*, April 25, 2018

Bankruptcy Best Practices Seminar, *Office of the United States Trustee*, December 13, 2017

Bankruptcy Case Law Update, *Detroit Consumer Bankruptcy Conference: American Bankruptcy Institute*, November 10, 2017

WEBINAR: Property Tax Exemptions: What Every Assessor Needs to Know Webinar, September 20, 2017

Case Law Update, *Federal Bar Association's Bankruptcy Seminar*, July 29, 2017

WEBINAR: Social Media Use by School Employees-From Worst Case Scenarios to Best Practices, April 26, 2017

Nuts and Bolts of Writing Contracts, *2017 Michigan Township Association Conference & Expo*, April 12, 2017

Panel Discussion: Medical Marihuana, *Michigan Townships Association Annual Conference & Expo*, April 11, 2017

Medical Marijuana: What's Legal, What's Not, and What Can We Do?, March 6, 2017

Medical Marijuana: What's Legal, What's Not, and What Can We Do?, *Lake Charter Township Berrien*, November 14, 2016

Bankruptcy Case Law Update, *Federal Bar Association Bankruptcy Section*, July 31, 2016

WEBINAR: Local Government Ethics, *Michigan Municipal League*, April 27, 2016

WEBINAR | Millage Proposals and Campaign Finance Issues, March 29, 2016

Recent Decisions Impacting Bankruptcy Practice in the Western District of Michigan, *Federal Bar Association*, August 1, 2015

What Every Treasurer Should Know About Bankruptcy, *Livingston County Treasurers' Association*, June 9, 2015

Nuts and Bolts of Bankruptcy Practice, *Federal Bar Association*, April 30, 2015

WEBINAR | The Borrower in Bankruptcy: Top 10 Mistakes Banks & Lenders Make in Consumer Bankruptcy Cases, *Foster Swift*, April 28, 2015

What Every Treasurer Should Know About Bankruptcy, *Bay County Treasurers' Association*, April 21, 2015

What Every Treasurer Should Know About Bankruptcy, *Macomb County Treasurers' Association*, March 24, 2015



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- Chapter 7 Bankruptcy Issues**, *2014 Bankruptcy Best Practices Seminar*, September 18, 2014
- Mock Meeting of Creditors**, *Federal Bar Association Bankruptcy Section Bankruptcy Boot Camp*, September 8, 2014
- Case Law Update**, *Federal Bar Association Bankruptcy Section Seminar*, August 1, 2014
- Chapter 7 bankruptcy issues**, *Bankruptcy Best Practices Seminar*, September 27, 2013
- Foster Swift Attorney Discusses Creditors' Rights In Stamp Farms Case**, *Michigan Farm Bureau*, December 21, 2012
- 2012 FBA Bankruptcy Section Seminar**, *FBA*, July 19, 2012
- Seminar Panel - Chair of Exemption Practice**, *Federal Bar Association Bankruptcy Section Seminar*, July 28, 2011
- WEBINAR | The Medical Marijuana Act - and the Issues It Presents to Municipalities**, May 18, 2011
- Ask a Lawyer**, *Michigan Townships Association*, January 26, 2011
- Township Codes of Ethics**, *Legal Institute, Michigan Townships Association Annual Educational Conference & Expo*, January 25, 2011
- Roundtable at the Western District of Michigan Trustee Meeting**, *The Office of the United States Trustee*, June 25, 2010
- Federal Bar Association - Featured Speaker on Bankruptcy**, 2007, 2009, 2010, 2014-2016, 2018-2022

PUBLICATIONS

- Summary Language Approved for Proposed Ballot Initiative to Repeal Renewable Energy Siting Law**, *Municipal Law News E-blast*, January 22, 2024
- Proposed Bills to Affect Energy Facilities**, *Foster Swift Municipal Law News E-blast*, November 16, 2023
- What Does Tyler v Hennepin County Mean for Foreclosures in Michigan?**, *Foster Swift Municipal Law News*, June 15, 2023
- Proposed Changes to PACE: What You Need to Know**, *Foster Swift Municipal Law News*, June 14, 2023
- Focus Orders & Tentative Opinions: Ways to Make Oral Argument More Efficient**, *Spring 2023 Michigan Appellate Practice Journal*, April 10, 2023
- Ten Tips for Writing Clear Contracts**, *Contract Nerds Blog*, February 23, 2022
- Executive Order: Revised Requirement for Businesses and Other Organizations**, *Foster Swift Legal Update E-blast*, July 19, 2020
- Whitmer Enacts Mandatory Mask Executive Order**, *Foster Swift Legal Update E-blast*, July 10, 2020
- Emails to Your Personal Attorney May Not Be Privileged If Sent or Received on a Work-Provided Email Address**, *Foster Swift Legal Update E-blast*, June 16, 2020
- New Executive Orders Lift Some Restrictions on Libraries in Northern Michigan and the UP**, *Foster Swift Legal Update E-blast*, June 5, 2020
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Stay-at-Home: What the Governor's Executive Order Means for Michigan Businesses, *Foster Swift Legal Update E-blast*, March 23, 2020

Good News for Family Farmers, *American Bankruptcy Institute Journal: February 2020*, February 3, 2020

Clinton Township Found Liable in Religious Land Use and Institutionalized Persons Act Lawsuit, *Foster Swift Municipal Law News*, November 14, 2019

REMINDER: November 1 is Deadline for Municipalities to "Opt Out" of Recreational Marijuana Establishments, *Foster Swift Municipal Law News E-blast*, October 17, 2019

Marijuana Emergency Rules: What Municipalities Should Know, *Foster Swift Municipal Law News*, August 8, 2019

November 1 is Deadline for Municipalities to "Opt Out" of Recreational Marijuana Establishments, *Foster Swift Municipal Law News E-blast*, July 18, 2019

Michigan Supreme Court to Hear Appeal of Decision Upholding Appropriation of Public Funds for Private Schools, *Foster Swift School Law News E-Blast*, June 26, 2019

How Marijuana Laws Affect Workplace Policies for Municipalities in Michigan, *Foster Swift Municipal Law News*, March 22, 2019

5 things employers should know about the new Marihuana Act, *Michigan Retailer*, December 2018

Foster Swift Secures Major Victory for Almer and Ellington Townships in Lawsuits Brought by Wind Energy Company, *Foster Swift Municipal Law News*, November 8, 2018

Michigan Voters Approve Recreational Marihuana Ballot Proposal, *Foster Swift Municipal Law E-blast*, November 7, 2018

New Case Law Restricts Local Zoning Control Over Medical Marijuana, *Foster Swift Municipal Law E-blast*, November 1, 2018

An Exception to an Exemption: Michigan's Lessee-User Tax, *Foster Swift Municipal Law News*, August 16, 2018

Tough Times for Township Assessors: Michigan Supreme Court Relaxes Property Tax Exemption Rules for Charities, *Foster Swift Municipal Law News*, April 24, 2018

Different Categories of Property Tax Exemptions in Michigan, *Foster Swift Municipal Law News*, March 15, 2018

Michigan Supreme Court Refines Property Tax Exemption Rules for Charities, *The Review*, January 2018

The Costs and Benefits of Property Tax Exemptions in Michigan, *Foster Swift Municipal Law Newsletter*, November 28, 2017

Michigan Supreme Court Rejects Menard's Appeal in "Dark Store" Tax Appeal, *Foster Swift Municipal Law News E-Blast*, October 23, 2017

School Funding Impacted by "Big Box" Store Tax Appeals, *Foster Swift School Law News E-Blast*, August 7, 2017

Michigan Supreme Court Clarifies Test for Charitable Exemption from Property Taxes, *Foster Swift Municipal Law E-Blast*, June 30, 2017



U.S. Supreme Court Vacates Lower Court Decision Which Ruled Against High School's Bathroom Policy for Transgender Students, *Foster Swift School Law News*, March 6, 2017

Department of Justice and Department of Education Withdraw Transgender Guidance Letters, *Foster Swift School Law News*, February 24, 2017

Michigan Court of Appeals Upholds Ann Arbor Public School's Policies Prohibiting Licensed Concealed Weapons on School Grounds, *Foster Swift School Law News*, December 19, 2016

What Municipal Attorneys Should Know About the Campaign Finance Act, *Briefly, A Publication of the Public Corporation Law Section of the State Bar of Michigan*, December 2016

Can I Vote "Straight Ticket" in Michigan?, *LinkedIn*, November 2, 2016

I Demand a Recount: Options for Local Michigan Candidates on November 9, *LinkedIn*, November 2, 2016

Michigan Election Law: How to Be a Write-In Candidate, *LinkedIn*, November 2, 2016

U.S. Supreme Court Declines to Step into Michigan Battle Over "Straight Ticket Voting", *Foster Swift Municipal Law News*, October 31, 2016

Michigan Supreme Court Declines to Weigh in on Non-Public School Funding, *Foster Swift School Law News*, October 5, 2016

Can a School Ban Someone from School Property?, *Foster Swift School Law News*, July 20, 2016

Federal Court Temporarily Bans State From Enforcing New Election Law That "Gags" Local Governments and Schools, *Foster Swift Municipal Law News*, February 5, 2016

New Law Silences Local Governments During 60 Days Before Elections, *Foster Swift Municipal Law News*, January 8, 2016

Too Small to Notice: Are Tiny Houses Subject to Municipal Zoning Ordinances in Michigan?, *Foster Swift Municipal Law News*, August 7, 2015

Solar Energy: A "Hot" Topic at the Local Level, *Foster Swift Municipal Law News*, March 30, 2015

Standing to Sue: When May a Property Owner Bring Suit to Restrain Zoning Violations?, *Foster Swift Municipal Law News*, February 27, 2015

Michigan Legislature Changes Taxable Value "Uncapping" Rules for Family Transfers, *Foster Swift Municipal Law News*, October 30, 2014

Recent Amendments Give Municipalities More Control Over "Urban" Farming, *Foster Swift Municipal Law News*, June 19, 2014

Donating Public Property May Raise Constitutional Problems, *Foster Swift Municipal Law News*, October 30, 2013

Leasing farm land: How to minimize the risks and protect your rights, *Michigan Farm News*, September 30, 2013

Bankruptcy Court Approves Sale of Stamp Farms Assets to Boersen Farms, *Foster Swift Agricultural Law Update*, February 2013

Municipal Law Refresher: The "Equal Dignity" Doctrine, *Foster Swift Municipal Law News*, January 2013



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- Federal Courts Strike Down Anti-Solicitation Policy And Anti-Begging Law**, *Foster Swift Municipal Law News*, October 2012
- New Fireworks Law May Spark Overhaul of Local Regulations**, *Foster Swift Municipal Law Bulletin*, July 2, 2012
- Time to Revisit Existing Firework Ordinances**, *Foster Swift Municipal Law News*, May 31, 2012
- Federal Court Hears Cable Franchise Dispute**, *Foster Swift Municipal Law News*, January 2012
- Ordinances 101: What Every Municipal Official Should Know**, *The Review Magazine (Michigan Municipal League publication)*, January/February 2012
- Court of Appeals Holds that Medical Marihuana Dispensaries are Not Authorized by Michigan Medical Marihuana Act**, *Foster Swift Municipal Law Bulletin*, August 24, 2011
- Michigan Court of Appeals Holds that State Aid Rules for Libraries are Unlawful**, *Foster Swift Library Law News*, August 17, 2011
- Michigan Legislature Reinstates "Very Serious Consequences" Rule for Mining Operations**, *Foster Swift Municipal Law News*, August 2011
- New Test To Gauge Validity of Zoning Ordinance or Decision Relating To Mineral Extraction - "No Very Serious Consequences" Test Is Eliminated In Place of "Reasonable" Test**, *Foster Swift Municipal Law News: MTA Edition*, January 2011
- Public Library Successfully Challenges State Aid Rules**, *Foster Swift Library Law E-News*, October 2010
- The Bankrupt Defendant: Exceptions to the Automatic Stay and Discharge in Bankruptcy that Every Creditor's Attorney Should Know**, *State Bar of Michigan Litigation Section Newsletter*, Fall 2010
- No-Fault Work Loss Benefits Are Not Barred by Lack of Sworn Earnings Statement or Failure to File Income Tax Return**, *Foster Swift No-Fault E-News*, April 1, 2010
- No-Fault Insurers Must Strictly Comply with Statute Requiring Warning Language for Named Driver Exclusion**, *Foster Swift No-Fault E-News*, March 25, 2010
- Car Dealership's Insurer is Priority Insurer in Third Party Suit Brought Against Test-Driving Customer**, *Foster Swift No-Fault E-News*, June 18, 2009
- Michigan Court of Appeals Clarifies Application of No-Fault Act's One Year Back Rule to Fraud Claims**, *Foster Swift No-Fault E-News*, May 15, 2009
- New Medical Marijuana Law Presents Legal Challenges to Michigan Municipalities**, *Public Corporation Law Quarterly (Also published in the May 2009 Foster Swift Municipal Law News)*, Summer 2009
- No-Fault Insurers May not "Bypass Legal Process" to Seek Reimbursement from Uninsured Owners**, *Foster Swift No-Fault E-News*, February 26, 2009
- Michigan Court of Appeals Interprets No-Fault Act's "Unlawfully Taken Vehicle" Exclusion**, *Foster Swift No-Fault E-News*, February 16, 2009
- Michigan Supreme Court Limits the MCCA'S Obligation to Indemnify Insurers for "Unreasonable" Expenses**, *Foster Swift No-Fault E-News*, December 31, 2008
- Court of Appeals Limits No-Fault Insurers' Liability for Homecare Expenses**, *Foster Swift No-Fault E-News*, December 17, 2008
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Court of Appeals Addresses Family Member Joyriding Exception in Published Opinion, *Foster Swift No-Fault E-News*, December 9, 2008

MEMBERSHIPS & AFFILIATIONS

Legal Affiliations:

- Federal Bar Association Bankruptcy Section (Western District of Michigan), Steering Committee Member
- Grand Rapids Bar Association
- Michigan State Bar Foundation
 - Fellow
- State Bar of Michigan
 - Council, Appellate Practice Section

Industry & Professional Associations:

- American Bankruptcy Institute
- National Association of Bankruptcy Trustees
- National Association of Parliamentarians
- Grand Rapids Young Professionals
- Inforum

Community Involvement:

- Grand Rapids Symphony Chorus, Board of Directors 2011-2012

RECENT BLOG POSTS

Michigan Bankruptcy Blog

Bankruptcy Court Upholds Contemporaneous Exchange for New Value Defense in Preference Action

Michigan Election Law Blog

Supreme Court Offers Additional Guidance on Sign Restrictions

Can We Ban That Sign?

Michigan House Bill to Require Training for All Election Challengers

Township Clerk Arraigned After Ballot Mishap

Bill Passes Michigan Senate, Allowing Qualifying Cities and Townships to Process Absentee Ballots Prior to Election Day

Judge Feeney to Appear on Ballot as Incumbent, with Separate Listing

Election Guidelines for Public Bodies in Compliance with MCFA

Primary Election Day 2020: Your Guide to Navigating Masks, Selfies, and Other Election Day Rules

Campaigning during COVID-19: Rules for Absentee Ballots