



Thomas R. Meagher

Shareholder

313 South Washington Square
Lansing, MI 48933-2114
T: 517.371.8161
F: 517.371.8200
tmeagher@fosterswift.com

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

- 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)*)
- 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)*)

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

- 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))
- 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)

Best Lawyers in America®
2013-2024 (Commercial Litigation)
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 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



Michigan Supreme Court Rules that Building Inspection Fees Must Reasonably Relate to the Costs of Services Provided by a Municipality's Building Department, *Inside 208 Blog, Michigan Municipal League*, August 6, 2019

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

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

Annual Update of Michigan Law: Employment, Immunity, and Zoning, *Written for HCC Public Risk Claim, Inc.*, September 17, 2015

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

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

Annual Update of Michigan Law: Immunity, Disability & Whistleblower Litigation, *Written for HCC Public Risk Claim, Inc.*, September 13, 2012

No-Fault Auto 2010, *Written for Hastings Mutual Insurance Company*, November 2010

Ripeness and Remedies In Exclusionary Zoning Cases, *Written for the State Bar of Michigan Public Corporation Winter Meeting*, January 2010

Confusion Surrounding Michigan's No-Fault Automobile Act Can Preclude Providers From Obtaining Payment For Services Rendered, *Foster Swift Health Care Law Report*, June 2008

Premises Liability: "Open and Obvious" Conditions, *22 Michigan Defense Quarterly, No. 3*, January 2006

The Public Duty Doctrine, *18 Michigan Defense Quarterly, No. 1*, April 2002

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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