



MICHELLE L. ALAMO

PARTNER

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Michelle Alamo is a partner in the firm's Litigation practice group. Her practice encompasses a wide range of complex business and litigation matters including class actions primarily in the automotive, construction, telecommunications and insurance industries.

She has successfully represented clients large and small in patent infringement, product disparagement, trade dress, trade secret and noncompete matters. Her federal practice has included Racketeer Influenced and Corrupt Organizations Act (RICO) and Employee Retirement Income Security Act of 1974 (ERISA) breach of fiduciary duty claims, criminal and civil antitrust investigations and related matters, and False Claims Act investigations and cases. In the construction context, Michelle has successfully represented clients on both federal and state construction contract, differing site condition and delay claims.

In addition to representing clients in federal courts across the country, Michelle has unique experience representing clients before the International Trade Commission (ITC) and in various arbitration forums. She also has experience with Department of Justice and U.S. Attorney investigations and negotiations.

A competitive athlete, Michelle enjoys running and cycling and has completed several Ironman triathlons.

EDUCATION

- University of Detroit Mercy School of Law (J.D., *summa cum laude*, 1999)
- Kettering University (B.S.E.E., 1993)

PROFESSIONAL ACTIVITIES

- Defense Research Institute (DRI) (Intellectual Property Committee, Chair, 2016-2018; Commercial Litigation Committee, Member)
- State Bar of Michigan (Intellectual Property and Commercial Litigation Committees)
- Federal Bar Association
- American Bar Association (Intellectual Property Committee)
- Sixth Circuit Judicial Conference (Delegate)
- Colorado Women's Chamber of Commerce (Co-Chair, DTC Strategic Connections)

SERVICES AND INDUSTRIES

Litigation
Antitrust and Trade Practices
Noncompete and Trade Secrets
Employment and Labor
Class Action Litigation
Complex Commercial Litigation
E-Discovery
Technology Transactions
Manufacturing and Innovation
Consumer Products and Services
Alternative Dispute Resolution

ADMISSIONS

Colorado
Michigan
U.S. District Court, Eastern District of Michigan
U.S. District Court, Eastern District of Texas
U.S. District Court, District of Maryland
U.S. Court of Appeals, Sixth Circuit
U.S. District Court, District of Colorado

Group)

CHARITABLE AND CIVIC INVOLVEMENT

- American Heart Association - Denver Go Red for Women (Vice Chair)
- Kettering University Alumni Association (Board of Directors)

ACCOLADES

- *Business Top Lawyer*, Litigation - Intellectual Property (2016 - present)
- Litigation Counsel of America, Fellow (2016 - present)
- Benchmark Litigation, Future Star (2015 - present)
- *Best Lawyers in America*, Litigation - Intellectual Property (2013 - present)
- *Michigan Super Lawyers*®, Business Litigation (2013 - 2017)

BACKGROUND

Prior to joining Armstrong Teasdale, Michelle spent 15 years in private practice in Detroit, Michigan.

Prior to that, Michelle spent two years clerking for the Honorable Patrick J. Duggan of the United States District Court, Eastern District of Michigan.

EXPERIENCE

Significant Victory in Multimillion-Dollar National Class Action for Men's Retailer

Secured a significant victory for a men's clothing retailer on a motion to dismiss in U.S. District Court for the District of Maryland. The plaintiffs alleged that certain sales promotions were deceptive and sought certification for a nationwide class, as well as Maryland and California subclasses, potentially exposing our client to hundreds of millions of dollars in damages. The court dismissed the nationwide claims, claims relating to the Maryland subclass, and large portions of the California subclass. The firm moved to dismiss the small portions of the lawsuit that remain.

Managed Consumer Class Action Lawsuits for Major Men's Retailer

Managed multiple consumer class action lawsuits for major men's retailer. Obtained a dismissal of one lawsuit, and have motions to dismiss pending on two additional lawsuits.

Represented Telecommunications Company in Multi-Defendant Case Alleging Over 30 Claims

Represented the plaintiff, a telecommunications company, before the U.S. District Court for the Southern District of New York alleging breach of contract, breach of tariff and improper charges related to a master services agreement. The multi-defendant case involved more than 30 counts or claims, 10 tariffs and three contracts.

Claims Dismissed for Major Insurance Company in ERISA Breach of Fiduciary Duty Class Actions

Defended a series of ERISA breach of fiduciary duty cases for a major insurance

company and successfully obtained dismissal of two related class actions – one on a motion to dismiss and the other voluntarily after discovery closed.

Counsel for Triathlon Coaching Company on Agreements, Intellectual Property

Counsel for triathlon coaching company, Hardcoeur Coaching LLC, on all aspects of coaching and athlete agreements and intellectual property protections.

Defense Verdict for Insurance Company in RICO and Medicare Suit

Defended a major workers' compensation insurance company against RICO and Medicare Secondary Payer Act (MSPA) claims stemming from the denial of worker's compensation benefits. Secured a defense verdict on a motion to dismiss, which was later affirmed on appeal.

Favorable Outcome for Automotive Supplier in Patent Infringement Trials

Served as co-lead counsel for a global Tier 1 Automotive Supplier in two International Trade Commission patent infringement trials involving claims of illegal importation of wiper products, resulting in an initial determination of infringement in favor of the supplier in one matter, and favorable settlement for the supplier following trial in the second matter.

Settlement in Patent Infringement Action for Automotive Supplier Against Canadian Competitor

Represented a global Tier 1 Automotive Supplier against a Canadian competitor in relation to patent infringement, product disparagement and trade dress claims in both federal court and ITC. The case ultimately settled.

Arbitration Award for Civil Contractor in Federal Construction Contract Matter

Served as lead counsel for one of the largest Michigan-based heavy civil contractors in obtaining a AAA arbitration award for the unpaid contract balance on a federal construction project.

Settlement in Patent Infringement Actions for Mobile Telecommunications Company

Represented mobile telecommunications company in patent infringement action in U.S. District Court for the Eastern District of Texas involving the routing of wireless E911 calls, and in U.S. District Court for the District of Delaware involving the sale of digital content, such as ringtones, over the internet. Both cases ultimately settled.

Settlement in Patent Infringement Action for Automotive Supplier

Represented a global Tier 1 Automotive Supplier in a patent infringement action in the Eastern District of Michigan involving friction-welded steel pistons, which ultimately settled.

THOUGHT LEADERSHIP

May 1, 2018

Tips from the Bench: Objections

ABA Section of Litigation

August 1, 2017

From the Chair

For the Defense (DRI), Intellectual Property Litigation

July 1, 2017

DRI Membership: It's Personal

For The Defense (DRI)

May 1, 2017

Federal Circuit Clarifies Post-America Invents Act 'On-sale' Bar Based on Publicly Announced Sale Agreements: Invalidates Four Anti-Nausea Drug Patents

DW IP Litigation Blog

December 1, 2014

Introducing Evidence at Trial

(ICLE) 3rd ed.

September 1, 2014

Leveling the Playing Field? Michigan's Bad Faith Patent Infringement Claims Act

DRI Intellectual Property Committee Community Blog