

RICHARD B. POLING, JR.

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PERSONAL

Date of Birth: July 17, 1950

EMPLOYMENT

Current: Poling, McGaw & Poling, P.C.
5455 Corporate Drive
Suite 104
Troy, MI 48098

Partner (Shareholder)

Previous: Vandever, Garzia, Tonkin, Kerr, Heaphy, Moore, Sills & Poling P.C.;
1984 to 1987; Partner (Shareholder)

Moore, Sills, Poling & Wooster P.C.; 1975 to 1983; Associate attorney

EDUCATION

Detroit College of Law (n/k/a Michigan State University School of Law),
Juris Doctorate 1975

Michigan State University, Bachelors of Arts 1972
Economics, History and Political Science

LEGAL LICENSURE

Licensed to practice law in the State of Michigan since 1975

Admitted to practice law before the following courts:

Michigan Supreme Court, and all Courts and Administrative Tribunals in the
State of Michigan

U.S. Sixth Circuit Court of Appeals

U.S. District Court for the Eastern District of Michigan

U.S. District Court for the Western District of Michigan

PROFESSIONAL ASSOCIATIONS (PAST AND PRESENT)

American Bar Association:

State & Local Government Law Section

Litigation Section

Committee for Manufacturer's Liability, 1984

Committee for Construction Litigation, 1984

Natural Resources, Energy, and Environmental Law Section

Family Law Section

Tort and Insurance Practice Section

State Bar of Michigan:

Public Corporation Law Section

Negligence Law Section

Real Property Law Section

Land Use and Planning Committee

Family Law Section

Legislative Liaison Committee, Chairman, 1981

Environmental Law Section

Insurance Committee, Member 1992 to 1998

Federal Bar Association

Association of Defense Trial Counsel (Michigan)

Defense Research Institute

Oakland County Bar Association

Co-Chairperson, Legislative Committee, 2005 to present

District Court Liaison Committee, 1976 to 1980

PROFESSIONAL ACCOMPLISHMENTS

Martindale-Hubbell Rating "AV" Rated since 1982

Attorney in Charge of Appeal before the Michigan Supreme Court:

- A. Martin I. Levy DDS v Hoskow & Martin P.C., 463 Mich 478 (2001)
- B. Scott Williams v City of Rochester, 434 Mich 857 (1990)
- C. Dagenhardt v Special Machine, 418 Mich 520 (1984);
Rehearing, 419 Mich 1207 (1984) Affirmed
- D. DAIIE v Standfest (Gavin), 416 Mich 407 (1982)
- E. Denham v Bedford, 407 Mich 517 (1980)

Attorney in Charge of Appeal before the Michigan Court of Appeals (reported decisions only):

- A. Harbor Telegraph2103 LLC v Oakland County Board of Commissioners,
253 Mich App 40 (2002)
- B. Petraszewsky v Keeth, 201 Mich App 535 (1993)
- C. Gidday v Wakefield, 90 Mich App 752 (1979)

Author of Amicus Curiae Brief for the Product Liability Advisory Counsel in Michigan Court of Appeals:

- A. Detroit Board of Education vs Celotex et al., 196 Mich App 694 (1992)

Attorney in Charge of Appeal before the U.S. Court of Appeals, Sixth Circuit (reported decisions only):

- A. Maldonado v National Acme Company, 73 F.3d 642 (6 Cir., 1996);
Reported below: 849 F. Supp 1175 (1994)
- B. Cremeans v City of Roseville. 861 F.2d 878 (6 Cir.,1988); cert. denied,
109 Sup. Ct. 2065 (1989)

Commissioner for the Attorney Grievance Commission; appointed by the Michigan Supreme Court in October, 2001 to present; reappointed in 2006.
General Counsel for the Oakland County Board of Commissioners, 1998 to present

Lecturer - Michigan Municipal League/Michigan Association of Municipal Attorneys; Governmental Immunity and Tort Liability Update; April 21, 2005

Special Counsel for Washtenaw County on court funding; 2003-2004

Member of Advisory Committee for the Michigan Secretary of State, Terri Lynn Land, 2003 to Present.

Lecturer - Michigan Municipal League/Michigan Association of Municipal Attorneys; Governmental Immunity and Tort Liability Update; November 5, 2003

National Trial Advocacy Judge/Juror at Michigan State University-Detroit College of Law; 2005, 2004, 2003, 2002, 2001

Field Supervisor Cooley Law School Extern Program; Fall, 1999 to 2001

Lecturer - Michigan Association of Counties on Liability of Counties for Trespass-Nuisance Damages, September 8, 1999

Lecturer - Institute of Continuing Legal Education (ICLE) on Premises Liability & Expert Testimony under Daubert, Joiner and Kuhmo Tire and Michigan Law (MCL 600.2955); July 22, 1999

Lecturer - Michigan Municipal League/Michigan Association of Municipal Attorneys on Legal Update on Governmental Liability under Federal Civil Rights Laws including ADA, ADEA, Civil Rights Act of 1876, and others; May 13, 1999

Claims Trainer for Sentry Insurance Co./Dairyland Insurance Co. on Michigan's No Fault Automobile Liability Law; May 20, 1998

Lecturer - Michigan Municipal League/Michigan Association of Municipal Attorneys on Ramifications of Amendments to IRC 104(a)(2) on Settlements and the Daubert Hearings in State Actions Post Tort Reform; March 24, 1998

Lecturer - Michigan Municipal League/Michigan Association of Municipal Attorneys on Tort Claims under Michigan Law; October 9, 1997

Author - Defense Research Institute's monograph on Employment Law Basics; Article on Agents vs Employees; published in September, 1997

Author - Michigan Township News, "Keep Your Township Out of Court" and "Seven Steps To Reduce Your Township Liability", Michigan Township Association, May, 1997

Participant - 1997 Oakland County Circuit Court's Bench/Bar Conference on issues

affecting court dockets

Lecturer - Michigan Municipal League/Michigan Association of Municipal Attorneys on Governmental Immunity and the Tort Reform Acts of 1995 [1995 PA 161, 222 and 249]; May 2, 1996

Speaker/Presenter at Joint Conference of the Bench & Bar on Alternative Dispute Resolution; May 17, 1996

Lecturer - Michigan Township Association on governmental immunity and controlling litigation and attorney costs; January 24, 1996

Lecturer - Michigan Municipal League/Michigan Association of Municipal Attorneys on Governmental Immunity Update and Defending Governmental Agencies in State Civil Litigation; November 4, 1994

Moderator - Institute of Continuing Legal Education on Insurance Law Update; 1994

Lecturer - Michigan Municipal League/Michigan Association of Municipal Attorneys on Update of Governmental Immunity, February 23, 1988

Lecturer - Michigan Municipal Attorneys Institute sponsored by the Michigan Municipal League on Governmental Immunity and the Handling of Claims for Cities; June, 1990 including discussion of the Michigan Manual of Uniform Traffic Control Devices and AASHTO's A Policy on Geometric Design of Highways and Streets (1984)

Attorney/Representative for the County Road Commissioners' Association of Michigan to the Michigan Legislature's Joint Ad Hoc Committee on Governmental Immunity, 1982

Lecturer - Institute of Continuing Legal Education of Construction and Surety Law; 1982

Mediator - Oakland and Wayne County Circuit Courts

Arbitrator and **Special Mediator** by assignment

AREAS OF EXPERIENCE IN THE PRACTICE OF LAW

Insurance Law and Insurance Coverage; Employer Liability/ Employment Law; Professional Malpractice/Errors & Omissions (psychologists, lawyers, engineers, architects); Products Liability Law; General Negligence; Automobile Negligence and Michigan No Fault Law; Michigan County Government Law; Governmental Agency

Liability and Immunity (including Highway and Roadway liability, Police Liability; Campaign Finance Law; Michigan Election & Campaign Finance Law; Family Law; Michigan Public Service Commission and Transportation law); Corporation Law; Civil Rights (Federal Civil Rights Acts and Elliott-Larsen, Minimum Wage Law); Real Property Law; Sale & Acquisition of Businesses; Commercial Law & Litigation; Environmental Law (latent injury & pollution claims); Construction, Bond and Surety Law.

COMMUNITY AND SERVICE ORGANIZATIONS

Advisor/Consultant; The Ballot Box L.L.C. on political campaigns for candidates and ballot questions.

Lecturer on Campaigns, Polling and Campaign tactics for the Women's Official Network, March 2002

Lecturer on Campaigns and Campaign tactics for the Women's Official Network & League of Women Voters, March, 2000

Campaign Participation for the Election of Judges (*Non-Partisan*):

Host for Maura Corrigan for Supreme Court, 2006; Co-Sponsor for Committee to Retain Court of Appeals Judge Brian Zahra; Co-Sponsor for Justice Stephen Markman Committee, 2004; Supreme Court 2000 [Joint Committee to Reelect Supreme Court Justices Clifford Taylor, Robert Young & Stephen Markman] Event Chairman; Campaign Treasure for Circuit Court Judge James Alexander (2002) Campaign Manager & Treasurer for Circuit Judge Joan Young for Court of Appeals (2000); Treasurer of the Barbara Smith for Judge Committee (2000); Treasurer for Incumbent Oakland County Circuit Judges Deborah Tyner, Edward Sosnick, Denise Langford Morris & Alice Gilbert (2000 to present); Treasurer for Oakland County Circuit Judge Wendy L. Potts (since 1998); Member of Finance Committee for Justice Clifford Taylor, 1998; Member of Finance Committee for Maura Corrigan for Supreme Court; Event Chairman for Elizabeth Weaver for Supreme Court Justice, 1994; Treasurer & Campaign Manager Joan Young for Probate Court Judge (1988); Campaign Manager Judge Richard D. Kuhn for Court of Appeals (1988); Member of Campaign Coordinating Committee for the Reelection of Judges Robert L. Templin, Steven N. Andrews, Gene Schnelz, George LaPlata and Fred M. Mester (1984); Member of Campaign Committee to Retain Judge Fred M. Mester (1982); Member of Campaign Committee to Retain Judge Bernard N. Friedman (1982); Campaign Manager to Elect District Judge Robert C. Anderson to Circuit Court (1980); Member of Advance Team for Hilda R. Gage for Circuit Judge (1978).

Campaign Manager and Coordinator for the Election (*Partisan*):

Judy Miller for Michigan Secretary of State (1990)

Member Board of Directors & Treasurer for *Way To Go*, n organization that recognizes safe teen drivers with rewards; June 2002 to present

Member Board of Directors for *On My Own*; October, 1999 to October 1, 2002 which trains the mildly developmentally disabled to be able to live and work on their own

Member of Public Affairs Committee for the Michigan League of Human Services; 1998 to 2001

United Way Community Services (Successor organization to United Way of Southeast Michigan and United Community Services); Board of Directors, 1995 to 1998; Member of Transition Committee (and 3 subcommittees) between United Way of Southeast Michigan and United Community Services during affiliation negotiations, 1994-1995; Member Community Relations and Education Committee (Public Affairs Committee), 1995 to present.

United Community Services - Member Board of Directors, 1991 to 1995; Chairman of Public Affairs Committee, 1993 to 1995; Member of Public Affairs Committee, 1989 to 1995; Chairman of Oakland Division, 1991 to 1994; Member of Board, Oakland Division, 1988 to 1994; Chairman of Legislative Roundtable Committee for Oakland Division, 1989 to 1993; Member of Executive Committee for Oakland Division, 1989 to 1994. [Effective July 1, 1995, United Community Services became affiliated with United Way of Southeast Michigan and both are now known as United Way Community Services].

Moderator for Legislative Roundtable, Lansing, Michigan, 1991 on FACT (Family Approach to Crime & Treatment)

Member, 48th District Court's Task Force on Alcohol and Substance Abuse; 1989 to 1993; Member of Steering Committee, 1989 to 1992

Village of Wolverine Lake, Zoning Board of Appeals, Member, 1977-1979; Chairman, 1979-1983

Member of Board of Directors, Corporate Secretary and General Counsel, Banner Laundering Company n/k/a the 1888 Corporation, 1990 to 1998

Member of Board of Directors, ConTeyor North America, 2002 to present

MISCELLANEOUS ORGANIZATIONAL MEMBERSHIPS (Past & Present)

Michigan Chamber of Commerce

Alumni Association of Michigan State University

Member of President's Club, Michigan State University

Honorary Coach/Ralph Young Fund, Michigan State University