

Amy M. Johnston

SERVICE AREAS

Business

- Automotive
- Oil + Gas

Litigation + Trial

- Business Torts
- Commercial Transactions Litigation
- Product Liability + Torts
- Product Related Litigation
- Litigation + Trial Practice Overview

EDUCATION

- University of Detroit Mercy School of Law, J.D.
- University of Michigan, B.G.S.

BAR ADMISSIONS

- Michigan
- Ohio

COURT ADMISSIONS

U.S. Supreme Court

U.S. Court of Appeals

- Sixth Circuit

U.S. District Courts

- Eastern District of Michigan
- Northern District of Indiana
- Western District of Michigan



Principal

Detroit

150 West Jefferson
Suite 2500
Detroit, Michigan 48226

T: +1.313.496.8479

F: +1.313.496.8453

johnston@millercanfield.com

Amy M. Johnston has extensive expertise in product liability, oil and gas, and business and commercial litigation. Her experience in defending companies from pre-litigation through trial enables her to provide her clients with insight into litigation avoidance as well as trial strategies for successful outcomes.

"Developing a strategy based on client expectations is essential to effective and successful representation. I enjoy open communication with clients and work with them to meet their needs."

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For Amy, diligent preparation is the maxim for trial. In one instance, on the eve of trial, Amy uncovered evidence which had been concealed by her adversary in a complex commercial litigation matter. She effectively used this evidence to obtain a large monetary award for her client, which had otherwise been facing a potential adverse decision that would have been costly.

EXPERIENCE

Amy has represented Fortune 100 companies in product liability, oil and gas, commercial, mass tort and franchise/dealership disputes. She has also represented smaller companies in a variety of personal injury, business and commercial matters. Throughout the years, Ms. Johnston established solid relationships with clients and advised them on risk management, alternative dispute resolution and litigation, while developing long-range business solutions.

Amy has acted as trial counsel in a number of product liability cases, including the defense of design, manufacturing and warning decisions on automobiles, escalators, component parts, brakes, broaching machines and power tools. In relation to these lawsuits, Amy successfully defended corporations on expert opinion, standard

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of care and trial procedure issues on multiple occasions in the Sixth Circuit Court of Appeals and the Courts of Appeal throughout Michigan. She also aggressively pursued and recovered for her clients, spoliation, discovery, case-evaluation and offer of judgment sanctions.

With respect to commercial cases, Amy has acted as lead trial lawyer in natural gas royalty disputes, breach of contract, breach of shareholder agreement, breach of fiduciary duty, corporate dissolution, bad faith, Uniform Commercial Code and supplier disputes. She defended through trial or arbitration, cases involving production specification and deviation, antitrust, Robinson-Patman, Petroleum Marketing Practices Act (PMPA), and Michigan Regulation of Motor Vehicle Manufacturers, Distributors, Wholesaler and Dealer issues. Additionally, Amy counseled clients on reverse merger buyouts (in excess of \$13 million), contract negotiations, product compliance and ongoing business concerns.

PROFESSIONAL ACTIVITIES

- American Bar Association, Section of Environment, Energy and Resources Petroleum Marketing Committee, Chair 2007-2008, 2008-2009; Vice Chair, Membership 2009-present
- American Inns of Court, Master of the Bench (2nd term), 2003-present
- Litigation Counsel of America, The Trial Lawyer Honorary Society, State of Michigan Delegation Co-Chair, 2007-present; Fellow, 2007-present
- Diversity Law Institute
- The Trial Law Institute
- Association of Defense Trial Counsel
- Defense Research Institute, E-Discovery Committee Member
- Federal Bar Association
- Michigan Defense Trial Counsel
- Ohio Bar Association
- State Bar of Michigan
- International Franchise Association
- Leadership Oakland XVII, Vice President
- United States District Court Advanced Technology and Electronic Evidence Courtroom Certified, 2006

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- Product Liability Advisory Council (PLAC)

HONORS + AWARDS

- Best Lawyers in America, Personal Injury Litigation-Defendants 2010-present
- Michigan Super Lawyers, Personal Injury Defense: Products 2006-present, Top 50 Michigan Women 2011, Top 100 in Michigan 2011
- Cambridge Who's Who 2009
- Marquis's Who's Who of Business Professionals 2009
- Marquis's Who's Who of Emerging Leaders 2007

CIVIC, CULTURAL + SOCIAL ACTIVITIES

- Catholic Lawyers' Society, President, 2006-2008; Vice President 2005-2006; Board of Directors, 2004-present

PUBLICATIONS

"Litigation Damages in the Petroleum Marketing and Franchise Industry," American Bar Association, Forum on Franchising (October 2007)

"Homeland Security, the Patriot Act and Effects on the Petroleum Marketing and Franchise Industry," American Bar Association, Forum on Franchising (October 2007)

"Alternative Dispute Resolution as a Cure to the Product Liability Epidemic," ADR Journal (June 1997)

"Fairness vs. Surprise: The Rebuttal Evidence Debate," 77 University of Detroit Law Review 531 (2000)

SPEECHES

Amy frequently presents on trial practice and procedure, and business and personal injury litigation issues. She has been a speaker and moderator at various State Bar of Michigan, Ohio Bar Association and American Bar Association conferences. She also provides private presentations to large and small businesses on litigation considerations, including risk management, litigation avoidance, evidence preservation and alternative dispute resolution.



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SEMINARS + EVENTS

- Natural Gas Exploration in Michigan - What you Need to Know and Why
- All's Well that Ends Well! Franchise Plays in Four Acts

ARTICLES

- High Court Ruling on Constructive Termination Seen as Victory For Franchisors

NEWSLETTERS

- Hot Points Summer 2010

NEWS

- VIDEO: Opportunities in Shale Gas Development
- Miller Canfield Top Women Lawyers and Thomas W. Cranmer Top Point Getter in 2011 "Super Lawyers"
- Women's Franchise Network of Southeast Michigan Meets Wednesday, June 9 in Detroit
- Miller Canfield Attorney Amy M. Johnston Appointed to Chair of ABA Petroleum Marketing Committee

