

Brian S. Westenberg

SERVICE AREAS

Business

- Product Safety
 - Consumer Product Safety + Regulation
- Automotive

Litigation + Trial

- Litigation + Trial Practice Overview

EDUCATION

- Detroit College of Law, J.D.
- University of Michigan-Dearborn, B.G.S.

BAR ADMISSIONS

- Michigan



Principal

Troy

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Brian S. Westenberg is a respected advisor and litigator who assists foreign and domestic companies in navigating the complex legal and regulatory requirements for manufacturing, importing, exporting, distributing and selling goods in the United States.

His cross-functional practice includes representing clients in product-related regulatory matters (defect investigations and compliance) involving the National Highway Traffic Administration (NHTSA) and the Consumer Product Safety Commission (CPSC).

He also represents clients on U.S. Customs and export control issues (enforcement defense and compliance), including those relating to the Customs-Trade Partnership Against Terrorism (C-TPAT), International Trade in Arms Regulations (ITAR) Export Administration Regulations (EAR), Foreign Corrupt Practices Act (FCPA) and matters before International Trade Commission (ITC)/U.S. Department of Commerce (anti-dumping and countervailing duty petitions and investigations). He is also a respected authority in developing document retention policies and helps clients craft a defensible and cost-conscious approach to collecting, preserving and producing documents and information for litigation discovery and regulatory reporting purposes.

Brian is admitted to practice before the U.S. Court of International Trade and is a member of the Regulatory Affairs Committee of the Motor and Equipment Manufacturers Association (MEMA). He is also a member of the Sedona Conference Working Groups on *Best Practices for Electronic Document Retention and Production* and *Protective Orders, Confidentiality and Public Access*.

PROFESSIONAL ACTIVITIES

- State Bar of Michigan

Brian S. Westenberg

- U.S. Court of International Trade
- Federal Bar Association
- Macomb County Bar Association
- Michigan Defense Trial Counsel
- Motor and Equipment Manufacturers Association (MEMA),
Regulatory Affairs Committee Member

HONORS + AWARDS

- Best Lawyers in America, Mass Tort Litigation/Class
Actions-Defendants 2009-present

CIVIC, CULTURAL + SOCIAL ACTIVITIES

- Miller Canfield Bombers Benevolent Athletic Society, Chair,
September 2002-present
- Miller Canfield Bombers v. Detroit Red Wings Alumni Charity
Events, Steering Committee Chair, September 2002-present

PUBLICATIONS

"Transportation Recall Enhancement, Accountability and Documentation (TREAD) Act Reporting Information Kit for Motor Vehicle and Motor Vehicle Equipment Manufacturers," Automotive Industry Action Group, contributing editor, August 2003

SPEECHES

"Pro Active Data Management – Risk and Cost Perspective, Compliance Enterprise Wide E Mail Management," American Lawyer Media T3 Presentation in New York City, December 8, 2006

"Legal Issues Surrounding the Roll Out of Drive-by Wire Technology in the Automotive Industry." Society of Automotive Engineers, Distributed Embedded Systems and Software Group, Detroit, Michigan, March 7, 2002

"Shared Liability in Distributed Embedded Systems," Society of Automotive Engineers' 2003 World Congress, Detroit, Michigan, March 2003

"Understanding the TREAD Act," (bettermanagement.com and SAS) Webcast, Cary, North Carolina, April 8, 2003

"TREAD Act," Automotive Industry Action Group Educational Event, Pontiac, Michigan, May 15, 2003

"TREAD Act Town Hall, AUTO-TECH," Automotive Industry Action Group Educational Event, Detroit, Michigan August 25, 2003

SEMINARS + EVENTS

- Cappuccino with Counsel: Importation of Motor Vehicles and Parts - Traps for the Unwary!

ARTICLES

- Automotive Guide

NEWS

- VIDEO: Regulatory Challenges When Bringing a Vehicle to Market in the U.S.