

### SERVICE AREAS

#### Business

- Health Law
  - Fraud, Abuse + False Claims

#### Litigation + Trial

- Criminal Defense
- Litigation + Trial Practice Overview

#### Governments + Nonprofits

- Health Law
  - Fraud, Abuse + False Claims

### EDUCATION

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

### BAR ADMISSIONS

- Michigan



### Senior Counsel

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During more than three decades of practice, Thomas C. O'Brien has handled major criminal and civil matters, including cases that received national attention. His criminal practice has included murder trials and white-collar crime, while his civil cases have encompassed catastrophic personal injuries and contract disputes. In addition, he has defended lawyers in malpractice claims. Tom also has lectured and taught throughout the United States in the field of trial advocacy at the National Institute for Trial Advocacy, the University of Michigan Law School and the Institute of Continuing Legal Education.

Tom's clients call him an articulate, experienced and highly effective trial lawyer who relates well with juries and has achieved exceptional results over the years.

### EXPERIENCE

Tom defended a 17-year-old charged with manslaughter after his snowmobile crashed through the windshield of a car, instantly killing the driver. During a three-day preliminary examination before a district judge, Tom and his team presented testimony to counter the prosecution's claim that the snowmobile went airborne at a rural intersection in excess of 60 mph. The young man contended that he was going less than 30 mph when he came up a steep hill and entered the intersection. At that point, he said the car crossed the center line into the oncoming lane. To avoid a head-on collision, the young man quickly accelerated, causing the front-end of his snowmobile to lift off the ground. The snowmobile then struck the car, climbed up the hood and went through the windshield. A careful examination of the car revealed snowmobile tread tracks on the front bumper, directly supporting the young man's version of the events and contradicting the prosecution's theory that the

snowmobile flew through the air for several feet before crashing through the windshield. Tom's team also offered evidence that the driver of the other vehicle had smoked marijuana just before the accident. The circuit judge who reviewed a transcript of the preliminary examination found that there was insufficient evidence to support the claim that the young man "knowingly created a high risk of death or great bodily harm knowing that death or such harm would be the likely result of his actions." After protracted litigation, the judge dismissed the felony charge, and the young man was put on probation as a youthful offender.

*"The most gratifying part of practicing law is knowing that someone in desperate need of legal services has placed their trust in you and, through your experience, you have made a significant difference in the outcome of a life-altering case."*