

**MICHIGAN INDEPENDENT CITIZENS REDISTRICTING
COMMISSION RFP**

Request for Proposal No. 920, 210000002578
Local Counsel

Fink Bressack
September 8, 2021

Submitted by:
David H. Fink
Managing Partner

dfink@finkbressack.com



38500 Woodward Ave, Suite 350
Bloomfield Hills, MI 48304

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CONFIDENTIAL TREATMENT FORM

Section 2. CONFIDENTIAL TREATMENT IS REQUESTED

This section must be completed, signed, and submitted with the proposal if bidder requests confidential treatment of any material contained in the proposal. Submission of a completed CT Form is required to request confidential treatment.

Provide the information in the table below. Bidder may add rows or additional pages using the same format shown in the table. Bidder must specifically identify the information to be protected as confidential and Commission the reasons why protection is necessary.

The CT Form will not be considered fully complete unless, for each confidentiality request, the bidder: (1) Identifies the Proposal Page #, Section #, and Paragraph #, (2) Identifies whether the material is a Trade Secret (TS), Proprietary Financial Information (FI), or Proprietary Information (PI), (3) Explains the specific legal grounds that support treatment of the material as TS, FI, or PI. Bidders must provide a complete justification as to how the material falls within the scope of an applicable FOIA Exemption or relevant case law. Bidders must not simply cite to an applicable exemption or case name, and (4) Provides the contact information for the person at Bidder's organization authorized to respond to inquiries by the Commission concerning the material.

Table with 4 columns: (1) Proposal Page #, Section #, Paragraph #; (2) Material is Trade Secret (TS), Proprietary Financial Information (FI), Proprietary Information (PI); (3) Applicable FOIA Exemption with Written Justification; (4) Bidder Contact Information.

By signing below, the bidder affirms that confidential treatment of material contained in their proposal is requested and has attached to this form a redacted "Public Copy" of the bidder's proposal.

920, 210000002578

Local Counsel

RFP Number

RFP Title

Handwritten signature of David H. Fink

Signature

September 8, 2021

Date

David H. Fink, Managing Partner, Fink Bressack

Printed Name, Title, Company

VENDOR QUESTION WORKSHEET

Information Sought	Bidder Response
1. Contact Information	
Bidder's sole contact person during the RFP process. Include name, title, address, email, and phone number.	David H. Fink Managing Partner 38500 Woodward Ave, Suite 350 Bloomfield Hills, MI 48304 dfink@finkbressack.com [REDACTED]
Person authorized to receive and sign a resulting contract. Include name, title, address, email, phone number. The awarded vendor will be required to establish an account in SIGMA Vendor Self-Service	David H. Fink Managing Partner 38500 Woodward Ave, Suite 350 Bloomfield Hills, MI 48304 dfink@finkbressack.com [REDACTED]
2. Company Background Information	
Legal business name and address. Include business entity designation, e.g., sole proprietor, Inc., LLC, or LLP.	Fink Bressack PLLC 38500 Woodward Ave, Suite 350 Bloomfield Hills, MI 48304
What State was the company formed in?	Michigan
Phone number.	[REDACTED]
Website address.	www.finkbressack.com
Number of years in business and number of employees.	Years in business: 10 Number of employees: 7
Legal business name and address of parent company, if any.	Fink Bressack PLLC
Has there been a recent change in organizational structure (e.g., management team) or control (e.g., merger or acquisition) of your company? If the answer is yes: (a) explain why the change occurred and (b) how this change has affected your company.	No.
Discuss your company's history. Has growth been organic, through mergers and acquisitions, or both?	Fink Bressack PLLC was founded in 2011 by David Fink and the firm's now late partner, Darryl Bressack, after they practiced together at a mid-size firm in Metro Detroit. Prior to that, Mr. Fink served as Director of the Office of the State Employer, while Mr. Bressack engaged in public service. Since its founding, the firm's growth has been entirely organic.
Has bidder ever been debarred, suspended, or disqualified from bidding or contracting with any entity, including the State of Michigan? If yes, provide the date, the entity, and details about the situation.	No.

<p>Has your company been a party to litigation against the State of Michigan? If the answer is yes, then state the date of initial filing, case name and court number, and jurisdiction.</p>	<p>No.</p>
<p>Within the last 5 years, has your company or any of its related business entities defaulted on a contract or had a contract terminated for cause? If yes, provide the date, contracting entity, type of contract, and details about the termination or default.</p>	<p>No.</p>
<p>State your gross annual sales for each of the last 5 years. If receiving a contract under this RFP will increase your gross revenue by more than 25% from last year's sales, explain how the company will scale-up to manage this increase.</p>	<p>Fink Bressack does not maintain statistics for or publicly disclose "gross annual sales." Fink Bressack does not anticipate that receiving a contract under this RFP will increase the firm's gross revenue by more than 25% from last year and would not anticipate the need to scale up to handle the work described in the RFP. If it is necessary to scale up, as in the past, Fink Bressack would hire Michigan residents to manage the increase, and those employees would work in the State of Michigan.</p>
<p>Describe partnerships and strategic relationships you think will bring significant value to the Commission.</p>	<p>With over 40 years of experience in the Michigan legal and political community, Mr. Fink has built strong relationships with State employees, elected officials, lawyers, and policy makers, which could bring significant value to the Commission.</p>
<p>State the physical address of the place of business that would have primary responsibility for this account if bidder is awarded a contract under this RFP.</p>	<p>Fink Bressack PLLC 38500 Woodward Ave, Suite 350 Bloomfield Hills, MI 48304</p>
<p>3. Participation in RFP Development or Evaluation</p>	
<p>Did your company, an employee, agent, or representative of your company, or any affiliated entity participate in developing any component of this solicitation? For purposes of this question, business concerns, organizations, or individuals are affiliates of each other if, directly or indirectly: (1) either one controls or has power to control the other or (2) a third-party controls or has the power to control both. Indicia of control include, but are not limited to, interlocking management or ownership, identity of interests among family members, shared facilities or equipment, and common use of employees.</p>	<p>No.</p>

<p>If you are awarded a contract under this solicitation, in order to provide the goods or services required under a resulting contract, do you intend to partner or subcontract with a person or entity that assisted in the development of this solicitation?</p>	<p>No.</p>
<p>Will your company, or an employee, agent, or representative of your company, participate in the evaluation of the proposals received in response to this RFP?</p>	<p>No.</p>
<p>4. State of Michigan Experience</p>	
<p>Does your company have experience working with the State of Michigan? If so, please provide a list (including the contract number) of the contracts you hold or have held with the State for the last 10 years.</p>	<p>No. However, as noted above, Mr. Fink served as Director of the Office of State Employer from 2003 to 2005.</p>
<p>5. Michigan Economic Impact</p>	
<p>Number of employees currently employed at locations within the State of Michigan.</p>	<p>7.</p>
<p>Number of additional employees to be employed at locations within the State of Michigan if awarded this Contract (if any)</p>	<p>Fink Bressack cannot yet determine if it would be necessary to hire additional employees if awarded this contract. However, if additional employees are hired, they would be employed in the State of Michigan.</p>
<p>Minimum wage paid to employees employed at locations within the State of Michigan.</p>	<p>No employee of Fink Bressack is currently paid less than \$20/hour, and the firm does not anticipate hiring employees at a lower rate.</p>
<p>Average wage paid to employees employed at locations within the State of Michigan.</p>	<p>The average wage of Fink Bressack employees employed at locations within the State of Michigan is significantly over \$30/hour.</p>
<p>Percentage of employees employed at locations within the State of Michigan that are covered by employer-provided health insurance.</p>	<p>100% of non-temporary employees are covered by employer-provided health insurance. The firm periodically hires law clerks as temporary employees, and they are not covered by employer-provided health insurance.</p>
<p>6. Other</p>	
<p>Abusive Labor Practices. The Contractor certifies that it will not furnish any Deliverable that was produced fully or partially by forced labor, forced or indentured child labor, or indentured servitude.</p>	<p>Yes.</p>

<p>Certification of Michigan Business- Public Act 431 of 1984, Sec. 268. I certify that the company has, pursuant to the provisions of Sec 268 of Public Act 431 of 1984, filed a Michigan Business Tax Corporate Income Tax Return. I certify that the company has, pursuant to the provisions of Sec 268 of Public Act 431 of 1984, filed a Michigan Income Tax return showing income generated in, or attributed to the State of Michigan. I certify that the company has, pursuant to the provisions of Sec 268 of Public Act 431 of 1984, withheld Michigan Income Tax from compensation paid to the company’s owners and remitted the tax to the Michigan Department of Treasury.</p>	<p>No. Because Fink Bressack is a Professional Limited Liability Company, the firm does not file (and is not required to file) a Michigan Business Tax Corporate Tax Return or a Michigan Income Tax Return. The firm has withheld Michigan Income Tax from W-2 compensation paid to any of the company’s employees (including the company’s owners) and remitted the tax to the Michigan Department of Treasury.</p>
<p>Iran Linked Business- Public Act 517 of 2012. I certify that the Company is not an Iran-Linked business as defined by Public Act 517 of 2012.</p>	<p>Yes.</p>
<p>Clean Corporate Citizen. I certify that the Company is a Clean Corporate Citizen as defined by the Environmental Protection Act, 1994 PA 451.</p>	<p>No. Fink Bressack is not aware of any legal services firm certified as a Clean Corporate Citizen.</p>
<p>Convict Labor. The Contractor certifies that if using convict labor, it is complying with all applicable state and federal laws and policies.</p>	<p>Yes.</p>
<p>SOM Debt/Tax Payment. I certify that all applicable State of Michigan taxes are paid, and that no outstanding debt is owed to the State of Michigan.</p>	<p>Yes.</p>
<p>Authorization to Verify Information Provided by Vendor. I authorize the Commission to verify that all information provided in this registration, in bidding and contracting documents, and any attachments or supplement documents and processes are accurate.</p>	<p>Yes.</p>

STATEMENT OF WORK

1.1 Key Deliverable One:

Key expertise or desirable expertise to fulfill the Statement of Work located within Section A of this RFP:

(a) **Michigan Litigation Expertise.** The attorney, firm or other entity must demonstrate litigation experience and expertise to represent the Commission.

1. Briefly describe a minimum of 3 cases argued before the Michigan Supreme Court, including, in particular, cases involving constitutional or public policy issues. For each case, please include:
 - i. The case caption.
 - ii. The principal legal issues presented in each matter handled by the attorney, law firm or entity and the party represented.
 - iii. The outcome of the case and whether an appeal was pursued.

Costantino v. City of Detroit, 950 N.W.2d 707 (Mich. 2020)

Principal Legal Issues: Whether the trial court properly denied the plaintiffs' request for an injunction requiring the Defendants to conduct an audit of the November 2020 election and whether the trial court properly denied the plaintiffs' request to prohibit the defendants from certifying the election results or continuing to count ballots.

Outcome: While representing the City of Detroit, Fink Bressack took the lead role in this litigation from the trial court through the Michigan Supreme Court. Fink Bressack handled this matter under extremely tight timelines given the urgency of these election-related matters. Defendants prevailed at each level, culminating in the Michigan Supreme Court denying the plaintiffs' application for leave to appeal. No appeal was pursued beyond the Michigan Supreme Court.

Gelman Scis., Inc. v. Fid. & Cas. Co. of New York, 456 Mich. 305, 572 N.W.2d 617 (1998)

Principal Legal Issues: Whether the Michigan Court of Appeals properly held that insurance coverage for pollution damage under "occurrence-type" comprehensive general liability insurance policies could be triggered only if contamination was discovered during the policy period, and not if it was discovered many years later. David Fink, on behalf of a Michigan manufacturer, argued to the Michigan Supreme Court that the Court of Appeals, in multiple rulings, reached the wrong conclusion and should be reversed.

Outcome: In a unanimous opinion, the Supreme Court ruled in favor of Mr. Fink's client, reversing decades of precedent. This case is a legal "unicorn," a rare decision in which the Michigan Supreme Court ruled in favor of policy holders against insurance companies in a coverage dispute. No appeal was pursued beyond the Michigan Supreme Court.

Johnson v. Sec'y of State, 506 Mich. 975, 951 N.W.2d 310 (2020)

Principal Legal Issues: Whether the Michigan Supreme Court should grant the petitioners’ petition for extraordinary writs and declaratory relief, in an original action filed in the Michigan Supreme Court. The petitioners brought a series of claims related to the conduct of the 2020 general election, including baseless allegations related to the counting of absentee ballots at the TCF Center in Detroit.

Outcome: Fink Bressack represented the City of Detroit as a proposed intervenor-respondent. The City filed a response to the Petition and refuted the unsupported allegations and incorrect statements of the law presented by the petitioners. The Supreme Court denied the Petition. No appeal was pursued beyond the Michigan Supreme Court.

2. Likewise, briefly describe, a minimum of 3 cases where a judgment was reached in a federal court, including, in particular, cases involving constitutional or public policy issues. For each case, please include:
 - i. The case caption.
 - ii. The principal legal issues presented in each matter handled by the attorney, law firm or entity and the party represented.
 - iii. The outcome of the case and whether an appeal was pursued.

King v. Whitmer, 505 F. Supp. 3d 720 (E.D. Mich. 2020)

Principal Legal Issues: Plaintiffs brought a series of claims of widespread voter irregularities and fraud in the processing and tabulation of votes and absentee ballots during the November 2020 Presidential election. Plaintiffs alleged violations of the Elections and Electors Clauses of the Constitution and the Equal Protection and Due Process Clauses of the Fourteenth Amendment. The Plaintiffs moved for a preliminary injunction requiring officials to decertify the election results.

Outcome: Fink Bressack represented the City of Detroit as an intervenor-defendant. Fink Bressack took a leading role in defeating the plaintiffs’ request for a preliminary injunction and obtaining dismissal of the action. The Supreme Court of the United States denied plaintiffs’ petition for writ of certiorari. An Opinion and Order was recently entered by the trial court, granting significant sanctions sought by Fink Bressack against all of plaintiffs’ counsel (9 attorneys) for their “historic and profound abuse of the judicial process.” *King v. Whitmer*, No. 20-13134, 2021 WL 3771875, at *1 (E.D. Mich. Aug. 25, 2021). Opposing counsel have publicly stated their intention to appeal the trial court’s order of sanctions.

Davis v. Detroit Pub. Sch. Cmty. Dist., No. 17-CV-12100, 2017 WL 3129838 (E.D. Mich. July 24, 2017)

Principal Legal Issues: Plaintiffs Robert Davis and D. Etta Wilcoxon brought claims purportedly arising under the United States Constitution and the Constitution of the State of Michigan, along with multiple statutory claims against various governmental and non-governmental entities challenging taxpayer-funded financing of the Little Caesars Arena in the City of Detroit. Plaintiffs claimed that the funding mechanism violated their constitutional rights, because, they argued, the City of Detroit millage voters only consented to be taxed for school purposes. Among other legal

theories, the Plaintiffs argued that the pending litigation exception to Michigan’s Freedom of Information Act is superseded by a right to public inspection of records set forth in the Michigan Constitution (a theory that had previously been rejected by the same federal judge in a prior lawsuit brought by Mr. Davis).

Outcome: Fink Bressack represented the Detroit Downtown Development Authority (DDA) and Brownfield Redevelopment Authority (BRA) as intervenor-defendants. Plaintiffs argued that the DDA and BRA intended to unlawfully use revenue generated from the school operating millage for a purpose other than the one that voters approved. The timing of this lawsuit was critical; if the claims were not quickly rejected, the Detroit Pistons would not have been able to obtain the necessary approvals from the National Basketball Association to move to the Little Caesars’ Arena. The Court granted Fink Bressack’s motion for summary judgment in its entirety on an expedited basis. An appeal was pursued, and the Sixth Circuit Court of Appeals Circuit affirmed. *Davis v. Detroit Pub. Sch. Cmty. Dist.*, 899 F.3d 437, 438 (6th Cir. 2018). The Court also awarded Fink Bressack’s clients sanctions against Plaintiffs’ counsel.

***Toth v. Callaghan*, 995 F. Supp. 2d 774 (E.D. Mich. 2014)**

Principal Legal Issues: Whether the manner by which the Michigan Legislature passed a certain law violated Article IV, § 24 of the Michigan Constitution (the so-called “title-object” provision).

Outcome: Fink Bressack represented the Regents of the University of Michigan as an intervenor-plaintiff challenging the enforceability of a statute, which had been passed by the Legislature and signed by the Governor. Fink Bressack challenged the constitutionality of the law, arguing that the enactment violate Michigan the Title-Object clause of the Constitution of the State of Michigan. The Court granted summary judgment in favor of Fink Bressack’s client (the Regents of the University of Michigan). The ruling was not appealed.

3. Describe representative legal work performed on behalf of public agencies and state boards or commissions in the past 5 years, providing dates and references as appropriate.

If this question refers only to State of Michigan public agencies, boards or commissions, no such work was performed in the past 5 years. If public agencies or commissions includes work for county or municipal public agencies or commissions, the firm has handled extensive legal work and litigation described below in Section 1.1(b) below.

4. Describe the attorney or firm’s experience with complex and/or electronic discovery.

All Fink Bressack attorneys have extensive experience with complex and electronic discovery. Fink Bressack attorneys regularly handle significant complex litigation involving large volumes of electronic and paper documents. The firm works with large scale document production and document review on a daily basis. It is common for the firm to be involved in managing and reviewing millions of pages of documents in a single case. As such, Fink Bressack works with a variety of e-discovery tools and has established relationships with multiple vendors to assist with software solutions (including Michigan vendors).

(b) **Michigan Government Law Experience.** The attorney, firm or other entity must demonstrate experience and expertise in government law and/or public corporation law to represent the Commission.

1. Briefly describe a minimum of 3 government sector client representations. For each case, please include:
 - i. The case caption.
 - ii. The principal legal issues presented in each matter handled by the attorney, law firm or entity and the party represented.
 - iii. The outcome of the case and whether an appeal was pursued.

As described in section 1.1(a) above, Fink Bressack has extensive experience litigating complex cases on behalf of government sector clients. In addition to the cases discussed above, Fink Bressack has handled many other matters on behalf of the City of Detroit, the Detroit Land Bank Authority, the County of Wayne, and the City of Madison Heights,

Fiore v. City of Detroit, No. 18-11565, 2018 WL 5014196 (E.D. Mich. Oct. 16, 2018)

Principal Legal Issues: Whether the City of Detroit violated the plaintiffs' equal protection rights when the City terminated a party's ability to bid for additional towing contracts with the City following the revelation of bribery involving the ex-husband of the owner of the plaintiff towing company. The plaintiffs sought a preliminary injunction for the immediate return of its bidding rights.

Outcome: Fink Bressack represented the City in federal court and defeated the plaintiffs' request for a preliminary injunction after an evidentiary hearing and extensive briefing. The plaintiffs ultimately dismissed their case.

B & G Towing, LLC v. City of Detroit, MI, 828 F. App'x 263 (6th Cir. 2020)

Principal Legal Issues: Whether the City of Detroit's use of information gleaned from an inadvertently disclosed wiretap affidavit to discontinue the City's business relationship with a towing company was a violation of Title III of the Omnibus Crime Control and Safe Streets Act of 1968.

Outcome: Fink Bressack represented the City in the District Court and in the Sixth Circuit Court of Appeals. The District Court granted the City's Motion to Dismiss, and the 6th Circuit affirmed.

City of Detroit v. Nationwide Recovery, Inc., No. 348814, 2021 WL 1051247 (Mich. Ct. App. Mar. 18, 2021)

Principal Legal Issues: Whether the defendant towing company's operations in the City of Detroit constituted a public nuisance that should be abated.

Outcome: Fink Bressack represented the City of Detroit at trial and on appeal in this public-nuisance action involving the towing of stolen vehicles. The City alleged that the defendant towing

company was involved in promoting vehicle theft. Following a lengthy bench trial, the trial court found that the towing company's disputed practices constituted a public nuisance and that abatement by injunction was necessary. The Michigan Court of Appeals affirmed.

Direct Constr. Servs., LLC v. City of Detroit, Michigan, 820 F. App'x 417 (6th Cir. 2020)

Principal Legal Issues: Whether the Detroit Land Bank Authority and other governmental entities and employees violated a government contractor's due process rights when the contractor was barred from continued participation in a demolition program.

Outcome: Fink Bressack represented the Detroit Land Bank Authority in the District Court and the Sixth Circuit Court of Appeals. The Office of Inspector General of the City of Detroit had determined that the plaintiffs altered photographs of properties they demolished in breach of terms of their demolition contracts. The plaintiffs alleged they were suspended and later barred from further demolition work, and did not receive payment for completed work, on the basis of race. They also claimed the defendants retaliated against them because one of the plaintiffs claimed he refused to alter bid numbers for the demolition work and because he claimed he cooperated with the FBI during an investigation related to the Land Bank. The District Court granted the Land Bank's Motion to Dismiss, and the Sixth Circuit Court of Appeals affirmed.

2. Briefly describe any legal and advisory services provided specific to a client that is a public body, board or commission providing dates and references as appropriate.
 - City of Detroit – For over 40 years David Fink (and, since 2011, Fink Bressack) has provided legal and advisory services to the City of Detroit in many different matters involving a wide spectrum of issues including contractor disputes, environmental matters, election law, eminent domain and voluntary land acquisition, automobile No-Fault Act issues, potential challenges to the decennial census, towing regulation, regulation and franchising of cable operators, city income tax collection, whistleblower and wrongful discharge claims, allegations of police misconduct and countless other issues.
 - County of Wayne – Dating back to 1992, David Fink (and, in more recent years, Fink Bressack) has provided legal and advisory services, as well as litigation services as necessary, on matters related to Downtown Development Authorities, tax increment finance authorities, pension funding and board representation, Headlee Amendment challenges, environmental regulation (air quality and landfill regulations in particular), whistleblower and employment termination issues, and many other matters.
 - Detroit Land Bank Authority – Fink Bressack has provided legal and advisory services to the Detroit Land Bank Authority for the past 6 years.
 - City of Madison Heights – Fink Bressack provides legal and advisory services to the City of Madison Heights related to environmental matters primarily related to a former waste incinerator located within the City and owned by SOCRRA, a municipal corporation consisting of twelve municipalities.
3. Briefly describe any legal and advisory services provided and litigation experience specific to Michigan Freedom of Information Act and Michigan Open Meetings Act or

other laws relevant to public entities providing dates and references as appropriate.

In the course of Fink Bressack's representation of the City of Detroit, the County of Wayne and other public entities, issues related to FOIA and the Open Meetings Act often arise. The firm has frequently consulted with its clients regarding both issues. On multiple occasions the firm has also been involved in litigation in which Michigan FOIA and Michigan Open Meetings Act issues have been addressed.

The matter of *Davis v. Detroit Pub. Sch. Cmty. Dist.*, No. 17-CV-12100, 2017 WL 3129838 (E.D. Mich. July 24, 2017), described above in section 1.1(a)(2), is one example of litigation handled by Fink Bressack involving issues related to the Michigan Freedom of Information Act.

Boulevard & Trumbull Towing, Inc. v City of Detroit, et al, Wayne County Circuit Court Case No. 17-010371-CZ, is one example of a case litigated by Fink Bressack involving a claimed violation of the Michigan Open Meetings Act (OMA). In an Opinion dated April 25, 2019, the Court rejected the OMA claim and granted summary disposition to Defendants. The matter is currently on appeal to the Michigan Court of Appeals.

(c) **Michigan Election Law Expertise.** The attorney, firm or other entity must demonstrate experience and expertise in Michigan election law to represent the Commission.

1. Briefly describe a minimum of 3 election law representations. For each case, please include:
 - i. The case caption.
 - ii. The principal legal issues presented in each matter handled by the attorney, law firm or entity and the party represented.
 - iii. The outcome of the case and whether an appeal was pursued.

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Outcome: Fink Bressack represented the City of Detroit as a proposed intervenor-respondent. The City filed a response to the Petition and refuted the unsupported allegations and incorrect statements of the law presented by the petitioners. The Supreme Court denied the Petition. No appeal was pursued beyond the Michigan Supreme Court.

2. Briefly describe any legal and advisory services provided specific to Michigan election law providing dates and references as appropriate.

- City of Detroit – Fink Bressack has provided extensive legal and advisory services to the City of Detroit related to Michigan election law.
- AUDIT Elections USA (a national non-partisan organization)– Fink Bressack was retained prior to the 2020 General Election to provide advice and representation regarding the contours of legal requirements for the preservation of electronic ballot images in Michigan elections.
- Hamtramck Mayor Gary Zych – David Fink provided election advice, including assistance with a recount of one of multiple recall elections at some time in 1999 or 2000.

(d) **Cumulative Experience.** Provide a summary of why, based on the aforementioned previous experience listed in (a) through (c), the Contractor is uniquely qualified to perform the services

sought by this RFP and assume the role of Local Counsel for the Commission.

Fink Bressack provides its clients with the knowledge, expertise, and depth of a large law firm, coupled with the individual attention and service of a smaller litigation practice. As outlined above, in Appendix A, and in the attached resumes, Fink Bressack attorneys are experienced complex litigators.

Fink Bressack's Michigan experience is particularly relevant to the matters which could arise here. The firm has successfully litigated more than one matter against Robert Davis, who has now filed suit against the Michigan Independent Citizens Redistricting Commission in the Michigan Supreme Court. The types of claims filed by Mr. Davis or others are likely to raise Michigan-specific legal and procedural issues with which the firm is quite familiar (*e.g.* Open Meetings Act, FOIA, Michigan election law, Michigan Constitutional claims and original mandamus actions in the Michigan Supreme Court), so Fink Bressack could provide immediate, helpful assistance to out of state litigation counsel. Whether litigation matters arise in federal or state court, at the trial or appellate level, Fink Bressack can add its extensive experience and familiarity with Michigan state and federal courts to the litigation resources already in place with national counsel.

Fink Bressack is particularly well-suited for the sometimes-uncertain role of local counsel. The firm has extensive experience serving as local counsel or co-counsel for major matters. Many national firms seeking a leader in the Michigan legal community as their local counsel turn to Fink Bressack. The firm is currently working with more than a dozen firms as co-counsel or local counsel, in various types of complex commercial and governmental litigation. If awarded this contract, Fink Bressack would be able to hit the ground running as local counsel, taking on as broad or narrow a role as the client directs.

1.2 Key Deliverable Two

- (a) **Motivations.** Provide a summary of why the attorney, firm or other entity seeks to serve the Commission.

The attorneys at Fink Bressack could have pursued careers in large law firms focused on traditional corporate litigation. Instead, they have chosen a smaller-firm environment, where they are able to work on complex, high-stakes matters, frequently involving issues of significant public importance. Serving as counsel for the Michigan Independent Citizens Redistricting Commission is likely to provide the opportunity to litigate uniquely interesting issues of public importance—precisely the motivation that drives the firm's attorneys. The Commission is venturing into new territory, as it seeks to solve the serious problem of historical gerrymandering, empowering citizens—not politicians—to draw legislative lines. If successful, the Commission could be creating a template that other states will follow. The attorneys of Fink Bressack are motivated by their desire to play a meaningful supporting role in the work of the Commission. It would be a great honor to represent the Commission.

(b) **Key Personnel.** The primary contractor shall be located or have a physical office in the State of Michigan. In the case of a law firm or other entity, identify the lead attorney or other attorneys, if any, who will be assigned to the work and the anticipated percentage of time for each. Contractors and employees must be in compliance with any applicable law or policy at all times, and if an attorney be in good standing with the State Bar of Michigan through the full contract term and any extensions. Contractor must possess the skill, experience, ability, background, certification and knowledge to provide the services described in this Contract on the terms and conditions describes herein. Please provide detailed, chronological resumes of all proposed Key Personnel, including a description of their work experience relevant to their purposed role as it relates to the RFP utilizing the required resume template labeled as Appendix A.

The key personnel in this matter will be David H. Fink (1/4), Nathan J. Fink (1/4), Philip D. Miller (1/4) and Morgan Schut (1/4).

Please see Appendix A and the attached resumes of all Key Personnel.

(c) **Firm/Entity General Description.** If the RFP is submitted by a law firm or other entity, provide a general description of the firm or entity.

Fink Bressack represents both plaintiffs and defendants in civil litigation, with a special focus on municipal disputes, complex litigation, and class action matters. Fink Bressack provides its clients with the experience, expertise and depth of a large law firm, coupled with the individual attention and service of a smaller litigation practice. From simple contract disputes to complex, multi-state litigation, Fink Bressack is a recognized leader in the Michigan legal community.

1.3 Key Deliverable Three

Key operational requirements and inquiries to fulfill the Statement of Work located within Section A of this RFP:

(a) **Conflicts.** The attorney or law firm must comply with the rules as set forth in the Michigan Rules of Professional Conduct as well as any applicable law, regulation or policy at all times. Please identify the following:

1. Any matter in which the attorney or firm is presently adverse or was adverse in the previous 5 years to the Commission or the State of Michigan.

Neither Fink Bressack nor any of its attorneys has been involved in any matter adverse to the Commission. Fink Bressack has represented parties adverse to the State of Michigan as follows:

Bureau of Professional Licensing v. Omar Purves Haqqani, M.D., State of Michigan Office of Administrative Hearings and Rules, Docket No. 20-028191, Case No. 43-19-001783

Fink Bressack currently represents Dr. Omar Purves Haqqani in a licensing matter related to an administrative complaint.

USA Underwriters v. State of Michigan Department of Insurance and Financial Services

Fink Bressack represented USA Underwriters in challenges to the Department of Insurance and Financial Services' withdrawal of approval of a certain type of automobile insurance product offered for sale by USA Underwriters. Those matters are now concluded.

Claims Against State Universities.

Fink Bressack currently represents students pursuing claims against several Michigan universities (University of Michigan, Michigan State University, Wayne State University, Central Michigan University, Eastern Michigan University, Northern Michigan University, Ferris State University, Western Michigan University and Lake Superior State University). These cases, filed against the various universities-not against the State of Michigan-all seek partial reimbursement of tuition, fees and room and board, arising from the restrictions and limitations arising from COVID-19 restrictions in the Spring and Summer of 2020.

2. Whether any lawyer(s) identified as Key Personnel has ever been subject to any disciplinary proceeding or been sanctioned by a court

None.

(b) **Disclosures.** Disclose the following:

1. Previous legal services (paid or unpaid) by the attorney, firm, or other entity as it relates to redistricting, reapportionment, districting and elections activities in Michigan provided from January 2010 to present day to:
 - i. Persons holding or candidates for elective office.
 - ii. Partisan or non-partisan entities or organizations.

Fink Bressack provided (and continues to provide) legal services to the Detroit City Clerk and the City of Detroit, related to litigation arising out of the 2020 General Election. More information regarding some of those cases is discussed above in Section 1.1(a) and Section 1.1(c).

Please describe the implications of the current or prior representations listed on this RFP. In particular, address whether it could present the appearance of a conflict in connection with the representation of the Commission.

None. Fink Bressack is not aware of any conflicts of interest or appearance of a conflict in connection with the representation of the Commission arising from any current or prior representation listed on this RFP; nor is the firm aware of any such conflicts related to any matters not listed on this RFP.

2. Any lobbying work the firm, other entity or attorneys listed as Key Personnel has performed in Michigan as it relates to redistricting, reapportionment, districting and elections activities from January 2010 to present day.

None.

3. Any monetary political contributions or donations made in Michigan on behalf of the firm, other entity or attorneys listed as Key Personnel, including contributions made by a firm political action committee, from January 2010 to present day.

See Spreadsheet attached as Exhibit 1

4. Any monetary political contributions personally made by the attorneys listed as Key Personnel in Michigan from January 2010 to present day.

See Spreadsheet attached as Exhibit 1

5. With respect to Key Personnel who are expected to work in connection with this representation, please disclose any financial, business, professional, lobbying or other relationship not previously identified that presents a potential conflict with the services to be performed under this Contract.

None.

(c) **Approach.** In keeping with the Commission's constitutional obligation to perform its duties in an impartial manner that reinforces public confidence in the integrity of the redistricting process, it is desired that Local Counsel operate in the same manner. Provide a description of the approach and methodology that will be used by the attorney, firm or other entirety to performing the responsibilities of Local Counsel while remaining impartial, unbiased and non-partisan as set forth in Article IV, Section 6, Subsections 4 and 5 of the Michigan Constitution.

Fink Bressack will provide passionate representation to the Commission with uncompromising integrity. Our attorneys will treat the Commission as it does every new client, with the same dedication and care provided to our clients with decades-long relationships. We operate as a team, with our attorneys efficiently assigned to matters or tasks based on the needs of the client. We take significant pride in the results we obtain for our clients. We will never compromise on our obligation to protect the ability of the Commission to remain impartial, unbiased, and non-partisan.

To assist in protecting public confidence in the impartiality and integrity of the Commission's processes, Fink Bressack and its attorneys will honor the guidance and instructions of the Commission regarding any public communications pertaining to the work assigned to the firm.

Fink Bressack understands that if retained by the Commission, Fink Bressack and all Key Personnel will be expected, for the duration of the representation, to update their disclosures as necessary through the contract term.

Fink Bressack understands that the fact that a conflict is identified pursuant to this section is

not an automatic disqualification but is information the Commission will consider in the selection process.

Appendix A

The attached resumes include most of the information identified in the Personnel Resume Template. The following additional information is offered to assure a complete response to the RFP:

Proposed Resources

David H. Fink, lead attorney and key personnel, Fink Bressack, with time allocated to project, as needed to meet client needs.

Nathan J. Fink, key personnel, with time allocated to project, as needed to meet client needs.

Philip D. Miller, key personnel, with time allocated to project, as needed to meet client needs.

Morgan D. Schut, key personnel, with time allocated to project, as needed to meet client needs.

Glenn R. Gayer, associate, with time allocated to project, as needed to meet client needs.

Required Skills

Each of the above-referenced key personnel is a member of the Michigan State Bar, fully qualified to represent the Commission, as more fully set forth in the attached individual resumes.

Michigan Litigation Experience, Michigan Government Law Experience, Michigan Election Law Expertise, Cumulative Experience.

With respect to David H. Fink and Nathan J. Fink, Fink Bressack incorporates by reference its answers to Section 1.1 of the RFP, and further supplements that response with their attached resumes.

With respect to Phillip D. Miller and Morgan D. Schut, please see their individual resumes.

Client References

City of Detroit, multiple legal matters over many years. Contact either:

Deputy Corporation Counsel Charles Raimi; 2 Woodward Ave, Suite 500, Detroit, MI 48226; raimic@detroitmi.gov; (313)237-5037; or

Corporation Counsel Lawrence Garcia; 2 Woodward Ave, Suite 500, Detroit, MI 48226; garcial@detroitmi.gov; (313)237-3018.

County of Wayne, multiple legal matters over many years. Contact:

Former Corporation Counsel Zenna Elhasan; The Kresge Foundation, 3215 W. Big Beaver Road, Troy, MI; zelhasan@kresge.org

Detroit Land Bank Authority, multiple legal matters for six years. Contact:

General Counsel Timothy Devine, DLBA, 500 Griswold St. Suite 1200, Detroit, MI; tdevine@detroitlandbank.org

Education

All Proposed Key Personnel are graduates of accredited colleges and law schools, as set forth in more detail on each of the attached resumes.

David H. Fink38500 Woodward Ave.; Suite 350, Bloomfield Hills, Michigan 48304
[REDACTED] dfink@finkbressack.com**Professional Summary**

David Fink, a native Detroit, is an experienced civil litigator, whose practice has focused on complex litigation as Mr. Fink has handled a wide range of civil lawsuits, both individual and class actions, in courts throughout the Greater Detroit area and the State of Michigan, winning important victories not only at the State and Federal trial court level, but also in the Michigan Court of Appeals, the Michigan Supreme Court and the Sixth Circuit Court of Appeals.

Mr. Fink began his legal career as an Assistant Corporation Counsel at the Law Department of the City of Detroit. In later years, in the private practice of law he again represented the City of Detroit and other municipalities, including the County of Wayne, the City of Hamtramck, the City of Wyandotte and the City of Madison Heights. His municipal representation has included trial court litigation, appellate matters, environmental enforcement, landfill siting issues, intergovernmental disputes, development agreements, contract litigation, whistleblower claims, Freedom of Information Act issues and major eminent domain projects.

In 2002, Mr. Fink left the practice of law for a brief, but unsuccessful, sojourn into elective politics, as the Democratic Candidate for United States Congress in Michigan's 9th Congressional District. Immediately after that campaign, Governor Jennifer Granholm asked him to join her Administration, where he served as Director of the Office of the State Employer from 2003 until 2005. When he left Governor Granholm's Cabinet, Mr. Fink returned to the private practice of Law, as a Senior Partner in the Miller Law Firm.

After returning to private practice, Mr. Fink remained actively involved in public and community matters. In 2006, he was appointed by the Governor to mediate a complex dispute between the Detroit Medical Center and the Wayne State University Medical School. Mr. Fink also served on the Michigan State Officers Compensation Commission for the 2013-2014 term. Mr. Fink served on the Judicial Advisory Committee, selected by Senator Carl Levin and Senator Debbie Stabenow, to assist in evaluating candidates for appointment to the Federal District Court for the Eastern District of Michigan. He has also been appointed by the Presidents of the State Bar of Michigan to multiple terms on the State Bar Judicial Qualifications Committee, a committee with the responsibility of interviewing and rating candidates under consideration for gubernatorial judicial appointments. In May 2013, the judges of the Federal District Court for the Eastern District of Michigan appointed Mr. Fink to serve as Chair of their Magistrate Judge Merit Selection Panel, which reviewed candidates for a Magistrate Judge vacancy in the Northern Division.

In January 2011, Mr. Fink and Darryl Bressack formed Fink Bressack.

Experience

Fink Bressack – Managing Partner Jan. 2011 to Present

Fink Bressack focuses on civil litigation. Mr. Fink’s practice areas include: complex individual and class action litigation; governmental disputes; election law; employment disputes; securities fraud (including securities fraud class actions); consumer fraud (including consumer fraud class actions); antitrust (including antitrust class action litigation); Fair Labor Standards Act (FLSA) (including FLSA collective actions); environmental matters; insurance coverage; construction contract disputes; eminent domain (condemnation); property tax assessment challenges; probate disputes; partnership dissolution, and; shareholder oppression claims. The firm also litigates derivative claims on behalf of disaffected shareholders.

The Miller Law Firm, PC – Senior Partner 2005 to Dec 2010

Mr. Fink’s primary areas of practice included commercial litigation along with individual and class actions. While at The Miller Law Firm, Mr. Fink handled consumer fraud class actions, securities fraud class actions, antitrust class actions and shareholder derivative litigation, along with a wide range of civil litigation, intergovernmental disputes, arbitration and probate court matters.

Office of the State Employer – Director Feb 2003 to Nov 2005

As Director of the Office of the State Employer, Mr. Fink served as a member of Governor Jennifer Granholm’s Cabinet. Mr. Fink served as the Governor’s Chief Negotiator for all labor matters and was assigned by the Governor to special projects, including negotiation of the 21st Century Jobs Fund.

Campaign for U.S. Congress – Democratic Candidate 2002

Democratic candidate for Michigan’s 9th District.

Fink, Zausmer & Kaufman, P.C. – Managing Shareholder 1978 to 2002

Mr. Fink and former State Senator Dan Cooper started a two attorney firm in 1978, in association with Henry Baskin and Robert Feldstein. Eventually, that firm developed a significant litigation practice, handling a broad spectrum of cases, including environmental matters, representation of public corporations (the City of Detroit, the County of Wayne, the City of Hamtramck and others), takings through eminent domain (condemnation), insurance coverage disputes (on behalf of policyholders), auto negligence defense, construction contract disputes and many other types of commercial litigation. Upon his departure from the firm to run for Congress, the firm was separated into two firms--Zausmer, Kaufman, August, Caldwell & Tayler, P.C. and Williams Acosta PLLC.

City of Detroit Law Department – Assistant Corporation Counsel 1977 to 1978

Mr. Fink’s primary areas of practice included municipal law, labor law, building code enforcement, negligence defense and other types of litigation. Assignments ranged from jury trials in the Traffic and Ordinance Division of the Common Pleas Court to an appellate argument in the United States Sixth Circuit Court of Appeals.

Education

Harvard Law School – J.D., *Cum Laude* 1974 to 1977

Activities: Harvard Legal Aid, Williston Contract Competition Award, Co-founder John Stuart Mill Society, Co-founder Men’s Bake Sale for Women’s Rights.

Harvard University – B.A., Economics, *Magna Cum Laude* 1970 to 1974

Senior Honors Thesis--The Equity Implications of the Minimum Tax on Tax Preference Income.
Activities: Kennedy Institute of Politics – member Student Advisory Committee.

Oak Park High School 1967 to 1970

Previous Professional, Philanthropic and Civic Appointments

Special mediator of dispute between Wayne State University and Detroit Medical Center – appointed by Governor Granholm; Michigan State Officers Compensation Commission – appointed by Governor Granholm; Judicial Advisory Committee – appointed by Senators Levin and Stabenow; Bloomfield Hills Recreation Commission--appointed by Bloomfield Hills Board of Education; Bloomfield Hills School District Blue Ribbon Committee on School Finance; Energy and Environmental Policy Committee of the Greater Detroit Chamber of Commerce; Detroit/Wayne County Roundtable on Sustainable Development--Board of Directors--appointed by Wayne County Executive and Mayor of City of Detroit; Southeast Michigan Council of Governments Environmental Task Force; Michigan State Legislative Ad Hoc Committee on Revitalizing Michigan's Cities--appointed by legislative leaders; Michigan State Bar Environmental Law Section Council; Michigan Association for Justice—Board of Directors; Jewish Family Services of Metropolitan Detroit—Board of Directors; Bloomfield Hills Schools Foundation President.

Designations

“Super Lawyer” each year since 2007 — Michigan Super Lawyers Magazine

Leader in the Law 2011 — Michigan Lawyers Weekly

Inaugural Class of the Michigan Attorney Hall of Fame 2019 – Michigan Lawyers Weekly

NATHAN J. FINK

[REDACTED]
Bloomfield Hills, MI 48304

[REDACTED]
nfink@finkbressack.com

EXPERIENCE

Fink Bressack, Bloomfield Hills, MI

May 2015 to present

Partner

Responsible for numerous complex civil litigation matters, including: jury and bench trials; briefing and arguing of dispositive motions; mediation and arbitration of disputes; taking and defending depositions, and; supervision of document review and e-discovery. Practice areas include class actions, municipal law, governmental and intergovernmental disputes, election law, contract disputes, employment litigation, environmental litigation, partnership dissolution, shareholder oppression, securities fraud, consumer fraud, antitrust, environmental litigation, insurance coverage, construction litigation, and eminent domain.

Zausmer, August, and Caldwell, Farmington Hills, MI

October 2011 to May 2015

Associate Attorney

Primary areas of focus included insurance defense, insurance coverage, and other civil litigation. Took and defended numerous discovery and trial depositions. Regularly argued dispositive and non-dispositive motions in trial courts throughout Michigan. Prepared mediation summaries, facilitation summaries, and other litigation documents.

Zausmer, August, and Caldwell, Farmington Hills, MI

May 2010 to October 2011

Summer Associate and Law Clerk

Composed research memos on an FDIC receivership proceeding, large construction project litigation, and insurance defense issues. Drafted answers, witness lists, client letters, motions, case evaluation summaries, facilitation summaries, and other litigation documents. Reviewed and analyzed medical records and deposition transcripts.

Oak Cty. Cir. Ct. Judge Mark Goldsmith, Pontiac, Michigan May 2009 – July 2009

Intern

Researched and wrote bench memoranda and draft opinions for criminal and civil matters. Observed pretrial motion oral arguments, jury selection, trials, and court conferences.

EDUCATION

Wayne State University Law School, Detroit, MI

J.D., May 2011

Associate Editor, *Wayne State Law Review*

The University of Michigan, Ann Arbor, MI

B.A. with distinction, Political Science and Anthropology, April 2008

Vice President, Michigan Student Assembly

PHILIP DAVID WHITE MILLER

pmiller@finkbressack.com | [REDACTED]

EXPERIENCE

Fink Bressack PLLC, Senior Counsel, Bloomfield Hills, MI, 2021–Present

- Litigator representing municipal entities, technology companies, financial services firms, investment advisers, venture capital funds, and individuals in securities class actions, shareholder derivative litigation, LLC and partnership disputes, and complex commercial matters.
- Skills include trial advocacy, oral argument, brief writing, law and motion practice, appellate practice, taking and defending depositions, conducting internal investigations and witness interviews, mediation and arbitration, settlement negotiation, interfacing with regulators and government enforcement attorneys, managing teams including junior attorneys, paralegals and staff, and actively listening to understand clients' needs and provide sound counsel.

Coblentz Patch Duffy & Bass LLP, Attorney, San Francisco, CA, 2018–2021

- Civil litigator and member of the firm's white collar defense and government enforcement practice group, representing corporate officers and directors in SEC enforcement actions and DOJ investigations, including matters in financial services, biotech and microprocessor industries.
- Trial experience in California state and federal courts, including victory in bench trial as first chair trial attorney for wine industry client; obtaining favorable verdict in six week jury trial for technology company client; and successful appeal before the Ninth Circuit Court of Appeals resulting in published opinion in Class Action Fairness Act context.

Alston & Bird, LLP, Attorney, Palo Alto, CA, 2014–2018

- Represented clients in matters involving corporate governance, officers' and directors' fiduciary duties, securities litigation and enforcement, mergers and acquisitions litigation, shareholder disputes, derivative actions, and internal investigations involving financial products and services.
- Matters included successfully obtaining dismissal of a shareholder class action against digital payments company; counseling merchant acquirer and global processor in investigation involving payments platform; defending a technology company in the largest ever stockholder appraisal action tried in the Delaware Court of Chancery; and counseling an online foreign currency exchange company through civil and criminal proceedings involving financial services contracts.

Gibson, Dunn & Crutcher, LLP, Attorney, Palo Alto, CA, summer 2010; 2011–2014

- Advised board of directors regarding fiduciary duties in considering proposed settlement of multidistrict litigation concerning issues of loss causation, class certification, and the accounting treatment of business economic loss.
- Conducted internal investigation of auto parts supplier regarding international antitrust enforcement actions and related civil litigation.
- Composed briefs in motion practice for complex shareholder derivative litigation and purported securities class action involving retail industry client.
- *Pro bono* representations of domestic violence victims and students in school disciplinary matters.

U.S. Securities and Exchange Commission, Summer Honors Legal Intern,
Washington, DC, 2009

- In the Office of the General Counsel, performed legal research and writing for matters including appeal of enforcement proceeding concerning 1934 Securities Exchange Act, challenged provision of 1940 Investment Company Act, and appeal concerning Freedom of Information Act request.

Owens-Illinois, Inc., Toledo, OH, Accounting Analyst, 2004–2006

- Organized data for payroll projects during implementation of new accounting software for S&P 500 manufacturing company. Streamlined process for updating employee records, balanced corporate payroll accounts and drafted payroll and unemployment insurance tax forms.

University of Virginia Bioethics Center, Charlottesville, VA, Research Assistant,
2002–2004

- Conducted research for director of bioethics program using philosophical and medical databases. Facilitated discussion, provided tutoring sessions and graded written work for courses “Justice and Health Care” and “Reproductive Ethics,” both with forty students.

EDUCATION

Stanford Law School, J.D.

June 2011

- Gunther Prize for outstanding performance in Regulation of Financial Institutions
- Editor, Stanford Journal of Animal Law and Policy

Yale University, M.A.R. (Master of Arts in Religion), *summa cum laude*
May 2008

- Marquand Scholar, awarded to six students at Yale Divinity School for exceptional academic achievement and demonstrated leadership ability

University of Virginia, M.A. in Philosophy

May 2003

- Andrew W. Mellon Foundation Fellow

Denison University, B.A. in Philosophy, *summa cum laude*

May 2001

- Phi Beta Kappa
- Presidential Medal, conferred on six graduates for academic achievement and community service

PROFESSIONAL AFFILIATIONS, PUBLICATIONS AND AWARDS

- Member of the Michigan and California Bars, admitted to practice before the United States District Courts for the Eastern District of Michigan, Northern and Central Districts of California and the United States Court of Appeals for the Ninth Circuit
- Author of articles “Loss Causation and Damages” in *Securities Litigation: A Practitioner's Guide*, 7th ed., Practising Law Institute, and “Stockholder Appraisal Actions in the Delaware Court of Chancery” in *Securities Litigation: Forms and Analysis*, Thomson Reuters
- Stanford Canterbury Foundation, Board member 2019-2021
- Silicon Valley Campaign for Legal Services, Amicus Committee member 2012–2017
- Alston & Bird and Gibson, Dunn & Crutcher *pro bono* service awards 2013–2016

INTERESTS

Vegetarian cooking, reading with my son, and cheering for baseball’s Kansas City Royals

Morgan Drew Schut

mschut@finkbressack.com

EDUCATION

Michigan State University College of Law, East Lansing, MI

Juris Doctor, Cum Laude, May 2016

- Trial Practice Institute Certification: competitive 2-year trial practice program where participants are responsible for managing one civil and one criminal trial, from pretrial discovery and motions to jury trial
- Civil Facilitative Mediator Training Clinic Participant and Coach: received mediator certification and mediated over 50 disputes in three area district courts, emphasizing facilitative communication; participated as co-coach for newly trained and/or continued education for alternative dispute resolution center
- Domestic Violence Seminar Research and Teaching Assistant
- Alpert Foundation Scholarship; Faculty Scholarship

Western Michigan University, Kalamazoo, MI

Bachelor of Arts, Magna Cum Laude, Public Relations and Political Science, May 2012

- Lee Honors College graduate
- Vice President of award-winning public relations team
- Excellence in Leadership Scholarship

EXPERIENCE

Fink Bressack, Bloomfield Hills, MI

Associate Attorney, April 2021 – present

- Litigate complex commercial matters in state and federal courts and in private arbitration, regularly responsible for managing discovery, pretrial strategy and client contact

Kemp Klein, P.C., Troy, MI

Associate Attorney, May 2019 – April 2021

- Advise business clients, including critical infrastructure suppliers and commercial manufacturers, as part of firm's COVID-19 Response Team, on state and federal laws and regulations impacting day-to-day business and employment relations
- Maintained an active litigation practice, primarily in business/commercial, employment, and real property matters

Paesano Akkashian Apkarian, P.C., Bloomfield Hills, MI

Associate Attorney, September 2017 – April 2019

- Litigated complex commercial matters representing primarily major global Fortune 500 tier-1 and tier-2 automotive suppliers in state and federal courts and in private arbitration with international client contact

Lewis, Reed & Allen, P.C., Kalamazoo, MI

Associate Attorney, October 2016 – August 2017

Summer Associate, May 2015 – August 2015

- Maintained active general civil litigation practice in domestic relations, civil and municipal law practices

Michigan Court of Appeals, Lansing, MI

Research Intern to the Honorable Amy Ronayne Krause, December 2014 – April 2015

- Prepared monthly bench briefs for three-judge panels; drafted and revised legal memoranda
- Assisted with organization of Judge’s community involvement and outreach calendar

HONORS & AWARDS

- Michigan Defense Trial Counsel Legal Excellence Awards, Golden Gavel Award Recipient, 2021.
- Detroit Bar Association, Barrister of the Year, 2019-2020

VOLUNTEER

- Detroit Bar Association Barristers Section President (August 2021-present)
 - Law Day/School Outreach Committee Co-Chair (October 2019 – present)
 - Board member (October 2018 – present)
 - Vice President (July 2020-July 2021)
- Detroit Bar Association Access to Justice Committee Member (October 2019 – present)
 - Virtual Clinic Subcommittee Member (November 2020 – present)
- Mercy High School Mock Trial Coach (October 2017 – present; 2x regional championship team)
- Michigan Center for Civic Education Panel Speaker at Michigan Hall of Justice (December 2018)
- Kalamazoo Central High School Mock Trial Coach: National finalist team (October 2016 – May 2017)

Exhibit 1

Fink Bressack Attorneys’ Political Contributions Since 2010

Contributor	Recipient	Year of Contribution	Amount
David H. Fink	PETERS FOR CONGRESS	2010	500
David H. Fink	SCHAUER FOR CONGRESS	2010	500
David H. Fink	CONWAY FOR SENATE	2010	250
David H. Fink	ISRAEL 2010	2010	750
David H. Fink	PETERS FOR CONGRESS	2010	100
David H. Fink	HANSEN CLARKE FOR CONGRESS	2010	250
David H. Fink	FRIENDS OF BLANCHE LINCOLN	2010	250
David H. Fink	CENTRAL COMMITTEE	2010	250
David H. Fink	FRIENDS FOR HARRY REID	2010	250
David H. Fink	MO-NV-ND VICTORY FUND	2012	750
David H. Fink	MOPAC	2012	500
David H. Fink	BERKLEY FOR SENATE	2012	250
David H. Fink	DAVID WEPRIN FOR CONGRESS	2011	500
David H. Fink	MCDOWELL FOR CONGRESS	2012	500
David H. Fink	HEIDI FOR SENATE	2012	250
David H. Fink	PETERS FOR CONGRESS	2012	500
David H. Fink	MCDOWELL FOR CONGRESS	2012	250
David H. Fink	MCCASKILL FOR MISSOURI	2012	250
David H. Fink	STABENOW FOR US SENATE	2012	500
David H. Fink	HANSEN CLARKE FOR CONGRESS	2012	250
David H. Fink	MOPAC	2014	500
David H. Fink	MOPAC	2014	1000
David H. Fink	PETERS FOR MICHIGAN	2014	2600
David H. Fink	MOPAC	2013	500
David H. Fink	PETERS FOR MICHIGAN	2014	250
David H. Fink	HANSEN CLARKE FOR CONGRESS	2014	500
David H. Fink	NUNN FOR SENATE INC	2014	2600
David H. Fink	LON JOHNSON FOR CONGRESS	2015	800
David H. Fink	HILLARY FOR AMERICA	2016	2700
David H. Fink	STABENOW FOR US SENATE	2016	1000
David H. Fink	HILLARY FOR AMERICA	2016	2700
David H. Fink	DNC SERVICES CORP./DEM. NAT'L COMMITTEE	2016	1000
David H. Fink	LON JOHNSON FOR CONGRESS	2016	900
David H. Fink	LON JOHNSON FOR CONGRESS	2016	625
David H. Fink	LON JOHNSON FOR CONGRESS	2015	1000

David H. Fink	GRETCHEN DRISKELL FOR CONGRESS	2016	250
David H. Fink	GRETCHEN DRISKELL FOR CONGRESS	2016	750
David H. Fink	SUZANNA SHKRELI FOR CONGRESS	2016	500
David H. Fink	LON JOHNSON FOR CONGRESS	2016	1800
David H. Fink	STABENOW VICTORY FUND	2016	1000
David H. Fink	HILLARY VICTORY FUND	2016	3700
David H. Fink	PETERS FOR MICHIGAN	2017	500
David H. Fink	STABENOW FOR US SENATE	2018	1000

David H. Fink	FRIENDS OF BRENDA JONES	2018	1000
David H. Fink	DOUG JONES FOR SENATE COMMITTEE	2017	500
David H. Fink	ELISSA SLOTKIN FOR CONGRESS	2018	800
David H. Fink	ELISSA SLOTKIN FOR CONGRESS	2018	1000
David H. Fink	ANDY LEVIN FOR CONGRESS	2018	250
David H. Fink	ANDY LEVIN FOR CONGRESS	2018	1000
David H. Fink	ELLEN LIPTON FOR CONGRESS	2018	1000
David H. Fink	HALEY STEVENS FOR CONGRESS	2018	1000
David H. Fink	GRETCHEN DRISKELL FOR CONGRESS	2018	500
David H. Fink	HALEY STEVENS FOR CONGRESS	2019	500
David H. Fink	ANDY LEVIN FOR CONGRESS	2019	500
David H. Fink	ELISSA SLOTKIN FOR CONGRESS	2020	1000
David H. Fink	WIN THE ERA PAC	2020	250
David H. Fink	ACTBLUE	2020	50
David H. Fink	BIDEN FOR PRESIDENT	2020	2800
David H. Fink	PETERS FOR MICHIGAN	2020	1100
David H. Fink	PETERS FOR MICHIGAN	2020	800
David H. Fink	PETERS FOR MICHIGAN	2020	1700
David H. Fink	ACTBLUE	2020	72
David H. Fink	TECH FOR CAMPAIGNS	2020	1000
David H. Fink	AMY FOR AMERICA	2020	250
David H. Fink	HALEY STEVENS FOR CONGRESS	2019	1000
David H. Fink	HALEY STEVENS FOR CONGRESS	2019	250
David H. Fink	BIDEN FOR PRESIDENT	2020	500
David H. Fink	SARA GIDEON FOR MAINE	2020	500
David H. Fink	BIDEN VICTORY FUND	2020	500
David H. Fink	MONTANANS FOR BULLOCK	2020	500
David H. Fink	JON OSSOFF FOR SENATE	2020	500
David H. Fink	JAIME HARRISON FOR US SENATE	2020	1000
David H. Fink	SCHOLTEN FOR CONGRESS	2020	500

David H. Fink	HALEY STEVENS FOR CONGRESS	2020	1000
David H. Fink	STOP REPUBLICANS	2020	500
David H. Fink	PETERS FOR MICHIGAN	2019	1500
David H. Fink	HALEY STEVENS FOR CONGRESS	2021	1000
Nathan J. Fink	HALEY STEVENS FOR CONGRESS	2019	100
David H. Fink	FRDS OF JUDGE DENISE LANDFORD MORRIS	2010	100
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2010	25
David H. Fink	FRIENDS OF LISA BROWN	2010	250
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2010	25

David H. Fink	CTE JUSTICE ALTON THOMAS DAVIS	2010	100
David H. Fink	ELECT VICKI BARNETT	2010	250
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2011	25
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2011	35
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2011	35
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2011	35
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2011	25
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2011	35
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2011	35
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2011	25
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2011	25
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2011	35
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2011	35
David H. Fink	CARL MARLINGA FOR PROBATE JUDGE	2012	100
David H. Fink	REELECT JUDGE WENDY POTTS COMM	2012	25
David H. Fink	COMM TO RETAIN JDG PHYLLIS MCMILLEN	2012	25
David H. Fink	COMMITTEE TO REELECT CHIEF JUSTICE B	2012	1000
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2012	35
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2012	35

David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2012	35
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2012	35
David H. Fink	COMMITTEE TO ELECT KEVIN COX FOR JDG	2012	500
David H. Fink	COMM TO RETAIN JUDGE JODI DEBBRECHT	2012	100
David H. Fink	LEO BOWMAN REELECTION COMMITTEE	2012	25
David H. Fink	COMMITTEE TO ELECT KEVIN COX FOR JDG	2012	200
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2012	35
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2012	35
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2012	35

David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2012	35
David H. Fink	COMM TO RETAIN JUDGE JODI DEBBRECHT	2012	100
David H. Fink	COMM TO REELECT JUDGE MICHAEL WARREN	2012	25
David H. Fink	COM TO REELCT DENISE LANGFORD-MORRIS	2012	25
David H. Fink	CAMPAIGN FOR JUDGE LAWRENCE S TALON	2012	250
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2012	35
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2012	35
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2012	35
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2012	35
David H. Fink	CONNIE KELLEY FOR SUPREME COURT	2012	100
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2013	35
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2013	35
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2013	35
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2013	35
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2013	35
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2013	35
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2013	35

David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2013	35
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2013	35
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2013	35
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2013	35
David H. Fink	MI ASSN FOR JUSTICE MAFJ- JUSTICE PAC	2013	35
David H. Fink	COMMITTEE TO ELECT MARY BELDEN	2014	250
David H. Fink	TONY GUERRIERO FOR DEARBORN JDG COMM	2014	250
David H. Fink	MARK TOTTEN FOR ATTORNEY GENERAL	2014	1000
David H. Fink	CTE LISA LANGTON CIRCUIT COURT JDG	2014	250
David H. Fink	MARK SCHAUER FOR GOVERNOR	2014	1000

David H. Fink	MARK SCHAUER FOR GOVERNOR	2014	1000
David H. Fink	VICKI BARNETT FOR STATE SENATE	2014	500
David H. Fink	RICHARD BERNSTEIN FOR JUSTICE	2014	2500
David H. Fink	MARK SCHAUER FOR GOVERNOR	2014	1500
David H. Fink	MARK SCHAUER FOR GOVERNOR	2014	1000
David H. Fink	JEWISH AGENCY PAC JAPAC	2015	1018
David H. Fink	COMMITTEE TO ELECT JOHN FISHER	2016	500
David H. Fink	COMMITTEE TO ELECT MICHAEL STACK	2016	500
David H. Fink	COMMITTEE TO REELECT JUDGE CYNTHIA D	2016	500
David H. Fink	DARNELLA WILLIAMS FOR WAYNE CO JDG	2016	1000
David H. Fink	CARL MARLINGA FOR CIRCUIT COURT JDG	2016	500
David H. Fink	COMMITTEE TO ELECT MICHAEL NOTTE	2016	500
David H. Fink	JEWISH AGENCY PAC JAPAC	2016	1018
David H. Fink	JOHN AUSTIN FOR MICHIGAN	2016	180
David H. Fink	LAURENCE DEITCH FOR REGENT COMM	2016	2500
David H. Fink	ABDUL EL-SAYED FOR MICHIGAN	2017	1000
David H. Fink	AGHOGHO EDEVBIE FOR PROGRESS	2017	250
David H. Fink	JEWISH AGENCY PAC JAPAC	2018	1018

David H. Fink	JOCELYN BENSON FOR SECRETARY OF STAT	2018	500
David H. Fink	DUGGAN LEADERSHIP FUND	2018	1250
David H. Fink	FRNDS OF JAKE CUNNINGHAM CIRCUIT CT	2018	250
David H. Fink	FRIENDS OF DANA NESSEL	2018	800
David H. Fink	JOCELYN BENSON FOR SECRETARY OF STAT	2018	1000
David H. Fink	FRIENDS TO ELECT MARSHALL BULLOCK	2018	2000
David H. Fink	GARY WORONCHAK FOR STATE SENATE	2018	150
David H. Fink	JOCELYN BENSON FOR SECRETARY OF STAT	2018	500
David H. Fink	GRETCHEN WHITMER FOR GOVERNOR	2018	1800
David H. Fink	CTE JOHN C CAHALAN WAYNE CO CIRCUIT	2018	250
David H. Fink	ANDREA FISCHER NEWMAN U OF M REGENT	2018	1000
David H. Fink	SAMUEL BAGENSTOS FOR JUSTICE	2018	1000

David H. Fink	ABDUL EL-SAYED FOR MICHIGAN	2018	400
David H. Fink	ADAM J HOLLIER COMMITTEE	2018	2000
David H. Fink	FRIENDS OF DANA NESSEL	2018	1000
David H. Fink	COMMITTEE TO ELECT JULIA PULVER	2018	500
David H. Fink	GRETCHEN WHITMER FOR GOVERNOR	2018	5000
David H. Fink	CTE JOHN C CAHALAN WAYNE CO CIRCUIT	2018	250
David H. Fink	CTE BRIDGET MARY HATHAWAY	2018	500
David H. Fink	MEGAN KATHLEEN CAVANAGH FOR SUPREME	2018	1000
David H. Fink	GRETCHEN WHITMER FOR GOVERNOR	2020	5000
David H. Fink	COMMITTEE TO ELECT ELIZABETH WELCH F	2020	1000
David H. Fink	MICHIGAN DEMOCRATIC JEWISH CAUCUS	2020	180
David H. Fink	COMMITTEE TO REELECT CHIEF JUSTICE B	2020	1000
David H. Fink	JEWISH AGENCY PAC JAPAC	2020	1018
David H. Fink	FRIENDS OF DANA NESSEL	2021	1000
David H. Fink	PURSUIT OF JUSTICE	2021	250
David H. Fink	JOCELYN BENSON FOR SECRETARY OF STAT	2021	1000
David H. Fink	JEWISH AGENCY PAC JAPAC	2021	1018
David H. Fink	FRIENDS OF DANA NESSEL	2021	1000
Nathan J. Fink	COMMITTEE TO ELECT KEVIN COX FOR JDG	2012	100

Nathan J. Fink	MARK SCHAUER FOR GOVERNOR	2014	100
Nathan J. Fink	DARNELLA WILLIAMS FOR WAYNE CO JDG	2016	250
Nathan J. Fink	AGHOGHO EDEVBIE FOR PROGRESS	2017	100
Nathan J. Fink	CTE JOHN C CAHALAN WAYNE CO CIRCUIT	2018	100
Nathan J. Fink	DUGGAN LEADERSHIP FUND	2018	250
Nathan J. Fink	CTE JOHN C CAHALAN WAYNE CO CIRCUIT	2018	125
Nathan J. Fink	FRNDS OF JAKE CUNNINGHAM CIRCUIT CT	2018	125
Nathan J. Fink	COMMITTEE TO ELECT ELIZABETH WELCH F	2020	100
Nathan J. Fink	COMMITTEE TO ELECT KEVIN KRESCH	2020	100
Nathan J. Fink	JOCELYN BENSON FOR SECRETARY OF STAT	2021	500
Nathan J. Fink	FRIENDS OF DANA NESSEL	2021	1000
Nathan J. Fink	LISA BROWN FOR COUNTY CLERK	2019	100
Nathan J. Fink	FRIENDS OF DAVE COULTER	2020	500
Nathan J. Fink	FRIENDS OF DAVE COULTER	2021	250
Nathan J. Fink	WITTENBERG FOR TREASURER	2020	500

Nathan J. Fink	FRIENDS OF ELI SAVIT	2019	100
David H. Fink	FRIENDS OF ELI SAVIT	2019	1000
David H. Fink	Committee for Raymond J. Wojtowicz	2011	100
David H. Fink	Committee for Raymond J. Wojtowicz	2011	100
David H. Fink	Robert A. Ficano Committee	2011	500
David H. Fink	Friends of Kevin McNamara - Mail was returned	2012	150
David H. Fink	Committee for Raymond J. Wojtowicz	2012	100
David H. Fink	Burton Leland For Detroit	2013	150
David H. Fink	Mike Duggan for Detroit	2013	1875
David H. Fink	Mike Duggan for Detroit	2013	1525
David H. Fink	William Isaac Robinson for City Council	2013	150
David H. Fink	Gabriel (Gabe) Leland For Council	2013	250
David H. Fink	Burton Leland For Detroit	2014	500
David H. Fink	Friends of Warren C. Evans	2014	3500
David H. Fink	Timothy Killeen for Commish	2014	150
David H. Fink	Mike Duggan for Detroit	2015	3000
David H. Fink	Burton Leland For Detroit	2015	150
David H. Fink	Mike Duggan for Detroit	2016	3800
David H. Fink	Gary Woronchak for County Commission	2017	150
David H. Fink	Timothy Killeen for Commish	2017	100
David H. Fink	Friends of Irma Clark-Coleman	2017	125
David H. Fink	Citizens for Jewel Ware	2017	1000
David H. Fink	Timothy Killeen for Commish	2018	100
David H. Fink	Graham Davis for Detroit	2018	3000
David H. Fink	Friends of Emily Dabish	2018	3000
David H. Fink	Laura Hughes for Detroit Charter Commission	2018	3000
David H. Fink	Friends of Maureen Miller Brosnan	2019	500
David H. Fink	Mike Duggan for Detroit	2021	7150
Nathan J. Fink	Mike Duggan for Detroit	2021	1000
Nathan J. Fink	Friends of Warren C. Evans	2019	500
David H. Fink	CTE David Soltis	2021	250
Nathan J. Fink	CTE David Soltis	2021	250
Philip D. Miller	Kamala Harris for Senate	2015	100