

## PRACTICE FOCUS

Weinstein is an experienced trial lawyer and represents businesses and individuals in civil litigation in state and federal courts throughout the United States. He is a member of the firm's Executive Committee and has been with Kegler Brown since 1982.

### Litigation

Mel has extensive experience in handling complex business disputes involving claims of fraud, breach of contract, breach of fiduciary duty, misappropriation of trade secrets, violations of covenants not to compete, unfair competition, defamation, insurance coverage issues, and professional liability. Throughout his thirty-five year career, he has tried more than seventy-five cases to decision, many by jury verdict.

### Career Highlights

Mel's career as an attorney is highlighted by numerous industry accolades, including recognition in publications such as The Best Lawyers in America and Ohio Super Lawyers. Additionally, Mel has been honored with an A-V rating from Martindale-Hubbell, which indicates very high to pre-eminent legal ability and very high ethical standards as established by confidential opinions from members of the bar.



Mel **WEINSTEIN**  
DIRECTOR

## CONTACT ME

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Litigation

“The good lawyer is not the man who has an eye to every side and angle of contingency, and qualifies all his qualifications, but who throws himself on your part so heartily, that he can get you out of a scrape.”

- Ralph Waldo Emerson



## Mel WEINSTEIN DIRECTOR

### TRIAL EXPERIENCE

Has served as trial and appellate counsel for many corporate clients. A sample of reported decisions in state and federal courts includes:

Represented Abercrombie & Fitch in action for trade dress infringement (Abercrombie & Fitch Stores, Inc. v. American Eagle Outfitters, Inc., 280 F.3d 619 (6th Cir. 2002))

Successfully appealed to Ohio Supreme Court, winning reversal of Board of Tax Appeals' assessment of sales tax against business (Rowe-Reilly Corporation v. Tracy, 85 Ohio St.3d 625 (1999))

Successfully appealed trial court's refusal to enforce arbitration provision in commercial agreement (Harsco Corporation v. Crane Carrier Company, 122 Ohio App.3d 406 (1997))

Successfully represented Fortune 500 company in action against investment banking company for breach of fiduciary duty, ultimately settled for \$20 million. (GenCorp Inc. v. Shearson Lehman Brothers, Inc., 766 F.Supp. 1460 (S.D. Ohio 1991))

Represented board of directors of closely held corporation in shareholder dispute (Cullen v. Milligan, 61 Ohio St.3d 352 (1991))

Successfully represented group of insurance companies in defense of action for fraud and breach of contract (Lewelling vs. Farmers Insurance of Columbus, Inc., 879 F.2d 212 (6th Cir. 1989))

Successfully defended State of Ohio in action for medical malpractice (McCrorry v. State of Ohio, 67 Ohio St.2d 99 (1981))

### PROFESSIONAL MEMBERSHIPS

American Bar Association, Trial Practice committee and Litigation sections, member

Columbus Bar Association, Federal Court committee, member

Ohio State Bar Association, member

### PUBLICATIONS & PRESENTATIONS

Products Liability: 50 State Handbook (Ohio Chapter), West Publishing Company, 1994-95 Ed., (with S. Martijn Steger)

### BAR ADMISSIONS

Ohio

Supreme Court of Ohio

Supreme Court of the United States

U.S. Court of Appeals for the Fifth and Sixth Circuits

U.S. District Court for the Northern District of Ohio

U.S. District Court for the Southern District of Ohio

### EDUCATION

Juris Doctorate (1973)

*University of Cincinnati College of Law*

Bachelor of Arts, Political Science (1969)

*The Ohio State University*