

# Daniel H. Minkus

## Member

**Daniel H. Minkus** is the Member in Charge of the firm's Birmingham office, where he has been an integral part of the Firm's Corporate Practice Group for over thirty years. Daniel concentrates his practice in the areas of business and real estate, advising and counseling clients with respect to a wide range of matters.

**Business Counseling** - Daniel counsels clients with respect to a wide array of business matters, ranging from internal corporate and company maintenance and decision-making practices to the many issues relating to a company's activities with its stakeholders, lenders, suppliers, customers/clients, employees and governmental authorities. He acts as "general counsel" for numerous clients on an ongoing basis and has gained the trust and confidence of many clients as a "trusted advisor". He has significant experience advising and assisting clients with ongoing business needs including issues often faced when entering into or terminating relationships with third parties. He also has vast experience counseling clients with business planning, structuring, and recapitalization.

**Mergers & Acquisitions** - Daniel has significant experience as the principal and lead attorney on numerous merger and acquisitions (and divestitures) on behalf of many clients of the firm. His reputation and expertise have been recognized by numerous peer-reviewed sources, and he is routinely counted among the elite M&A attorneys in the country. He has successfully negotiated scores of transactions for the firm's clients. He is praised by clients and professionals for his creative and well-thought solutions to issues presented in the transaction process. Daniel has led deal teams on transactions of all sizes, ranging from those for smaller entrepreneurial businesses to those of multi-national clients. Daniel is also an active member of the Mergers & Acquisitions Committee of the Business Law Section of the American Bar Association.

**Transactional Counseling** - Daniel has a broad range of experience representing purchasers, sellers, and joint venturers, with respect to asset and equity transactions, as well as significant purchase agreements, sale agreements, supply agreements, and trading agreements associated with ongoing business activities. He is well-versed in business planning strategies and structuring of unique agreements to suit client needs.

**Limited Liability Companies** - Daniel was an active member of the drafting Committee of Michigan's Limited Liability Company Act in 1993, and on the committees which have drafted amendments to the Act since its original adoption. He lectures frequently on the subject of limited liability companies (LLCs) and is considered one of the State's foremost authorities on the subject. He has formed many LLCs for various clients, and has structured numerous LLCs to suit particular client needs, ranging from "joint venture" relationships to minority business enterprises, and from wealth transfer arrangements to special allocation relationships.

**Minority Business Enterprises** - Daniel is experienced in representing minority business enterprises (MBEs) and in addressing the numerous issues facing such entities. He also has significant experience representing those seeking to do business with and to associate with MBEs. He has substantial experience assisting clients to qualify as MBEs, disadvantaged business enterprises (DBEs) and/or a Michigan Minority Supplier Development Council (MMSDC) certified businesses, and has helped MBE clients pursue and secure business arrangements and contracts with third parties.

**Contracts** - A significant portion of Daniel's activities revolve around the drafting and negotiating of contracts to meet client needs and goals. He is experienced in addressing issues relating to confidentiality, non-competition, non-solicitation and other issues which are of increasing importance to protect the intellectual and proprietary property interests of companies. He is also well versed in addressing issues dealing with topics such as distributorships, licensing, management, and employment, as well as numerous other issues facing businesses in today's economy.

**Employment Agreements** - Daniel has substantial experience drafting and negotiating executive and upper management agreements which address incentives, buy-out rights, options and other issues of importance to key employees. He also is experienced in developing stock option plans and agreements for client companies.

**Real Estate** - Daniel has negotiated many commercial, industrial and residential real estate purchase and sale transactions, as well as leases on behalf of commercial tenants and landlords. In conjunction with such matters, he has developed expertise in financing and title matters, as well as various environmental issues relating to such transactions.



## Office

Birmingham

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## Education

J.D., cum laude, Wayne State  
University Law School, Detroit,  
Michigan, 1985

B.A., Kalamazoo College,  
Kalamazoo, Michigan, 1982

## State Bar Licenses

Michigan

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Daniel is a very active member of both the State Bar of Michigan and the American Bar Association Business Law Sections. At the state level, he has served as a Council Member of the Section and as Chairman of the Section (2001). He served as Chairman of the Limited Liability Company and Partnership Committee of the Section for over fifteen years, and remains active as Program Director of the Section. At the national level, he remains active on the Mergers & Acquisitions Committee and has participated in the drafting of ABA publications and projects. Daniel has authored several articles, and lectures frequently, on a variety of business topics. Daniel is a contributing author to several books, including the Institute for Continuing Legal Education's (ICLE) *Michigan Contract Law*, ICLE's *Michigan Business Form Book*, the American Bar Association Business Law Section, Merger & Acquisitions Committee *Manual of Acquisitions Practice and Process*. In 2013, Daniel received the prestigious Stephen Schulman Award from the State Bar's Business Law Section, the highest honor bestowed by that Section for his many years of outstanding contributions to Business Law and to business in the State of Michigan.

Daniel has been recognized by Chambers USA as one of only a handful of top rated Merger & Acquisition attorneys in the State of Michigan. He has been named as Best Lawyer by Best Lawyers in America every year since 2003 (Lawyer of the Year - 2010- Corporate Law). He has been named a Michigan Super Lawyer since the inception of such magazine, and has been named a Top 100 Michigan Lawyer by Super Lawyers on multiple occasions. He has also been selected as a Top Attorney by DBusiness magazine every year it has had such rankings.

Daniel remains very active in civic affairs and the community. He served on the Board of Directors of the Michigan Humane Society (Chairman 1989-1998); he is the former State Sports Director for Soccer for Michigan Special Olympics; he is a past member of the Board of Directors of Leadership Oakland (President 1998-1999), an organization which fosters community leadership and involvement; and he has served as a member of volunteer committees for United Way Community Services in Detroit. He also coached youth soccer for over fifteen years.

## Practices, Industries & Services

Automotive & Manufacturing  
Automotive Dealerships  
Corporate Law  
Franchise & Licensing  
Real Estate  
Tax Exempt and Charitable Organizations

## Areas of Emphasis

Closely Held Business Entities  
Fund Formation & Compliance  
Joint Ventures  
Mergers & Acquisitions  
Supply Chain Agreements

## Memberships

- Chambers USA list of the nation's leading business lawyers
- Institute For Continuing Legal Education's Business Law Advisory Committee, Director of Training for the Business Boot Camp joint initiative between the Institute for Continuing Legal Education and the State Bar's Business Law Section
- State Bar of Michigan, Business Law Section Council (1994-2001), past Chairman (2001); Business Law Section's Unincorporated Enterprises Committee Chairman (1991-2014) ; Programs Director (2009-present)
- The Best Lawyers in America
- DBusiness - Top Attorneys

## Honors

- Named among Best Lawyers in America - Corporate Law by Best Lawyers (2021)
- Recipient of Stephen Schulman Award for exceptional contributions to the Business Law Section of the State Bar of Michigan