

Thomas M. Dixon

Member

Thomas M. Dixon is a commercial trial lawyer and heads Clark Hill's Litigation Practice Group firm-wide. Tom also served eight years on Clark Hill's Executive Management Committee. Tom has been continually recognized by his peers as a Michigan Super Lawyer, in Best Lawyers in America, "Top Lawyer" by Crain's Detroit Business and as a "Top Lawyer" by DBusiness. Tom has also received an "AV®" Preeminent Rating by his peers through Martindale-Hubbell, the highest possible rating.

Tom specializes in complex commercial litigation and will, trust, estate and probate litigation. In addition to his extensive trial practice, Tom has vast experience in arbitration, facilitation, mediation and other Alternative Dispute Resolution processes. In appropriate circumstances, Tom encourages clients to consider ADR and other creative solutions to avoid the expense and uncertainties of traditional litigation.

Complex Commercial Litigation: Tom has represented clients throughout his legal career in a broad variety of complex business and commercial related disputes. Tom's clients include Fortune 500 companies, medium and small business, entrepreneurs, family businesses and individuals. Tom has experience with a broad range of industries including automotive, both OEM and suppliers, financial services including banking and structured settlements, insurance, steel, commercial real estate and property management, health care including home health care, non-profits, logistics and trucking, among various other industries. Tom has also served as national litigation counsel to companies in the computer services industry where he managed a host of business, commercial and employment related cases throughout the US and abroad.

Tom's areas of emphasis and experience include claims involving:

- complex business and commercial litigation
- business torts including fraud, misrepresentation, theft and breach of fiduciary duty
- securities fraud
- employee theft and conversion
- supplier and UCC disputes
- shareholder disputes including shareholder oppression
- LLC member disputes
- sales commission disputes
- breach of warranty claims
- insurance coverage
- non-compete, non-solicitation and trade secret litigation
- product liability defense including medical devices, automobile components, industrial trucks, and forklifts
- class action and mass tort claims
- structured settlement transfers and related litigation

Trust, Estate and Probate Litigation: Tom specializes in litigating cases involving wills, trusts, and probate estates. Tom has substantial experience with will and trust contests and related litigation involving claims of undue influence, lack of testamentary capacity, fraud, and duress. Tom has represented banks and other institutional fiduciaries, individual fiduciaries, families, and other trustees and personal representatives, in fraud, negligence, and breach of fiduciary duty claims. Tom has litigated trust cases involving some of the largest private estates in Michigan. Tom has also litigated guardianship and conservatorship proceedings and claims of financial abuse of elderly persons. Tom has lectured nationally on the topic of undue influence to Bloomberg's BNA Estate and Gift Tax Advisory Board in New York City, the ABA's Real Property, Estate and Gift Tax Spring Symposium in Washington DC, Notre Dame's Estate Planning Institute in South Bend, Indiana, Kansas City Estate Planning Symposium in Overland Park, Kansas, Wilmington Trust's and Estate Planning Symposium in New York City, as well as locally for the Oakland County Bar Association and The Institute for Continuing Legal Education (ICLE).

Tom's publications include:

- [Undue Influence and Vulnerable Adults](#), Sandra D. Glazier, Thomas M. Dixon, and Thomas F. Sweeney, published by the American Bar Association, Real Property, Trust and Estate Law Section, 2020
- [Probable Cause Exception to the Enforcement of Will and Trust in Terrorem Clauses](#), published Winter 2013. Michigan Probate & Estate Planning Journal, Vol 33, No.1.



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Education

J.D., University of Notre Dame, Notre Dame, Indiana, 1988

B.G.S., University of Michigan, Ann Arbor, Michigan, 1984

State Bar Licenses

Michigan

Court Admissions

U.S. District Ct., E.D. of Michigan

U.S. District Ct., W.D. of Michigan

U.S. District Ct., N.D. of Ohio

U.S. Court of Appeals, 6th Circuit

U.S. Court of Appeals, 11th Circuit

U.S. Supreme Court

- [What Every Estate Planner Should Know About Undue Influence: Recognizing It, Insulating/Planning Against It... And Litigating It.](#) *Sandra D. Glazier, Esq., Thomas M. Dixon, Esq., and Thomas F. Sweeney*, published Bloomberg BNA Tax Management Memorandum, Vol. 56, No. 11, June 1, 2015, pp 185-209, as well as Bloomberg BNA Tax Management Estates, Gifts and Trusts Journal, Vol. 40, No. 4, July 9, 2015, pp 175-198.
- [Confronting Undue Influence in your Practice? Industry experts weigh in on how to take an increasingly pervasive issue.](#) *Sharon L. Klein, Sandra D. Glazier, Thomas M. Dixon & Thomas F. Sweeney*, published Trusts & Estates; The Wealth Management.com journal for estate-planning professional, July 2015, pp 33-37.
- [Collaborative Representation by Counsel in Probate Litigation.](#) Sandra D. Glazier and Thomas M. Dixon, published by Trusts & Estates; The Wealth Management.com journal for estate-planning professionals, May 2018, pp 19-22.

Tom's areas of emphasis and experience include:

- will contests
- will construction and interpretation
- probate litigation
- trust contests
- trust reformation, construction and interpretation
- undue influence, lack of testamentary capacity and diminished mental capacity
- breach of fiduciary duty claims
- fiduciary litigation, including challenges to remove and surcharge fiduciaries
- fiduciary and attorney fee disputes
- prudent investor rule
- guardianship and conservatorship litigation
- financial abuse of the elderly
- spousal rights and elective share proceedings
- determination of, and challenges to, heirship
- actions to recover assets

Digital Risk Management and E-Discovery: Tom is a leader of Clark Hill's Digital Risk Management and E-Discovery team which oversees a suite of services and products, ranging from document review and protection, e-discovery services and policy development and protocol in social media. Tom and the expert team of lawyers and staff offer proven, integrated business processes, and leading-edge technologies.

Structured Settlements: Tom heads Clark Hill's Structured Settlement Practice Group. This team of lawyers and professional staff provide full-service court transfer approvals in jurisdictions nation-wide.

Tom is a long-time member of the Federation of Defense and Corporate Counsel (FDCC), and has served on numerous committees of that prestigious nation-wide organization of trial lawyers. Tom is also a long time affiliate member of the National Association of Settlement Purchasers (NASP), which is the only professional trade organization for the secondary market for structured settlements.

While attending Notre Dame Law School, Tom was awarded the William T. Kirby Award for excellence in legal writing and he served as editor of the Journal of College and University Law, authoring several articles for that widely distributed publication. As an undergraduate at the University of Michigan, Tom earned an NCAA post-graduate academic scholarship, in addition to achieving both Academic All-American and All-American and All-Big Ten football honors. Tom has served as President and Executive Board Member of the University of Michigan "M" Letterwinners Club. Tom and his family are long-time residents of Plymouth, Michigan.

Practices, Industries & Services

Information Governance 360
Litigation
Tax & Estate Planning

Areas of Emphasis

Business Litigation
Commercial Litigation
Discovery Services
Trust and Estate Controversy

Memberships

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- American Bar Association
 - Detroit Bar Association
 - Federation of Defense & Corporate Counsel (FDCC)
 - State Bar of Michigan, Litigation Section, Former Council Member

Honors

- Named Detroit, Michigan's 2021 Litigation - Trusts and Estates "Lawyer of the Year" by Best Lawyers in America
- Best Lawyers in America (2019 and 2021 Editions) for Litigation-Trust and Estates; Trust and Estates
- Named Michigan's 2019 Trusts and Estates " Lawyer of the Year" by Best Lawyers