



## Ray H. Littleton

Shareholder

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Ray Littleton's practice area consists of commercial and general litigation and health care law. He helps businesses and organizations address a wide-range of litigation matters and disputes, specializing in four key areas:

**Insurance.** Ray represents insurance companies as lead counsel in litigation matters including but not limited to property and theft claims, fraud claims, uninsured and under-insured claims and First and Third Party personal injury claims. He has extensive experience conducting investigations related to coverage issues and suspected fraudulent claims.

**Health Care.** Ray represents state-funded health care plans and providers who receive MI Choice Medicaid Waiver benefits. He assists companies in drafting and complying with Business Associate agreements and insurance provider agreements. He has litigated and defended claims for benefit payments and pursued claims for reimbursement related to health care plans. He has also counseled organizations to assist them in complying with State of Michigan orders and guidelines regarding COVID 19 business operations.

**Transportation.** Ray represents medical and non-medical transportation companies with respect to business associate agreements, insurance coverage matters, and negotiations with transportation carriers and medical providers. He has also handled litigation matters for railroad clients including preparing trial briefings, jury instructions, witness testimony, and pre and post-trial motions in a railroad crossing accident case and in a railroad FELA cumulative trauma trial.

**Warranty claims.** Ray represents businesses, particularly automotive suppliers, in connection with warranty claims and disputes under Article II of the Uniform Commercial Code (UCC). Many disputes in the

### PRACTICE AREAS

Commercial Litigation  
No-Fault Litigation  
Health Care  
Transportation Law  
Employment Litigation  
Mass Tort  
Name Image Likeness (NIL) Legal Services Team

### EDUCATION

Marquette University Law School,  
J.D., 2006  
Yale University, B.A., 2002;  
Economics

### BAR AND COURT ADMISSIONS

Michigan  
Wisconsin  
U.S. District Court for the Western District of Michigan  
U.S. District Court for the Eastern District of Michigan  
U.S. District Court for the Western District of Wisconsin  
U.S. Court of Appeals, Sixth Circuit  
U.S. Bankruptcy Court for the Western District of Michigan

### HONORS & RECOGNITIONS

Michigan *Super Lawyers* "Rising Star", General Litigation, 2013-2019



automotive supply chain involve questions of the existence or scope of warranties. Ray helps clients analyze and understand warranties – whether express or implied – and any disclaimers or modifications part of the contract at issue in order to determine potential damages or recoveries, as the case may be. If a dispute cannot be resolved between the parties, Ray represents clients (both purchasers and sellers) in UCC litigation.

Additionally, he has extensive experience handling other automotive supplier litigation matters involving machining and molding issues, molding liens, supply agreements and duration, price, quantity and termination provisions.

**Employment disputes, discrimination and retaliation.** Ray advises businesses in connection with employment disputes, discrimination and retaliation claims, union labor disputes and the enforcement of non-compete agreements.

Ray has litigated in the Circuit Courts of Michigan and Wisconsin and has argued in front of the Michigan Court of Appeals and the Federal District Courts in Michigan as well as the Federal District Courts in Wisconsin. He has also handled Circuit Court Trials and Administrative Trials, including the defense of an employer in a MIOSHA Trial.

He is a graduate of Yale University and earned his law degree from Marquette University Law School. In 2013, 2014, 2015, 2016, 2017, 2018 and 2019, *Michigan Super Lawyers* awarded Ray its "Rising Star" honor.

Ray previously served as the chair of the Rules and Calendar Committee on the State Bar of Michigan Representative Assembly and served as a representative on the Assembly for Oakland County.

#### **REPRESENTATIVE MATTERS**

- Successfully defended MI Choice Medicaid Waiver program administrator in litigation involving benefit payments.
- Successfully obtained reimbursement for MI Choice Medicaid Waiver program benefits in litigation.
- Drafted and negotiated Business Associate Agreements for health care providers and health care plans.
- Successfully defended an automotive machining company in a business tort dispute.
- Effectively defended insurers against fraudulent property and No-Fault benefit claims.
- Successfully defended automotive insurer against breach of contract action for a vehicle theft claim.
- Successfully defended outdoor Kiosk vendor in warranty dispute.
- Litigated fraudulent conveyance claim in a non-dischargeability against a chapter 7 debtor.
- Successfully defended out of state automotive finance company against Fair Debt Collection Practices Act claim.
- Enforced a non-compete agreement in the home and health hospice industry.
- Handled first chair trial counsel responsibilities against claims involving trust contests and commission fee disputes.



- Handled first chair trial counsel responsibilities in an OSHA administrative trial.
- Regularly represents insurers in coverage disputes and claims investigations.
- Regularly represents medical providers in collection cases.
- Assisted receiver in operation and sale of gas station and automotive body shop as well as other assets.
- Handled 2nd and 3rd chair trial responsibilities in a transportation and trucking arbitration dispute and a personal injury mediation involving governmental immunity.

### **SPEAKING ENGAGEMENTS**

**How Recent Ruling Will Impact Your Business Initiatives**, *Second Wednesday Sessions*, November 8, 2023

**The Evolution and Transformation of Black Entrepreneurship**, *National BMLS Leadership Summit*, August 17, 2023

**Independent Medical Exams: Strategies for Imposing or Preventing Conditions and Limitations**, *Strafford Webinars*, January 4, 2023

**Transforming Law Firms: DE&I Intent Into Real Progress**, *Michigan Diversity Council Legal Diversity Summit*, October 18, 2022

**Independent Medical Exams: Strategies for Imposing or Preventing Conditions and Limitations**, *Strafford Webinars*, January 4, 2022

**Diversity: From Adversity to Unity**, *Michigan Lawyers Weekly*, March 30, 2021

### **PUBLICATIONS**

**Michigan Court of Appeals Ruling Adds Challenges for Premises Owners and Their Insurers as to Premises Liability Cases**, *Insurance Regulatory News E-blast*, January 22, 2024

**As Attacks on DEI Programs Continue, Employers Should Review and Revise Diversity Initiatives**, *Foster Swift Labor & Employment Law News E-blast*, December 20, 2023

**Legal Review of Corporate DEI Critical as Activists Quickly Pursue Litigation**, *Foster Swift Labor & Employment Law News E-blast*, October 16, 2023

**HIPAA Business Associate Agreements - What Are They and When Are They Required?**, *Foster Swift Health Care Law News E-blast*, July 29, 2020

**The Seller Breached the Contract but the Purchaser Saved Money as a Result**, *Foster Swift Automotive Management News*, March 20, 2013

**Hiring and Firing Employees in an At-Will Employment World**, *Foster Swift Automotive Management News*, February 2013

**Priority of Construction Liens**, *Foster Swift Commercial Litigation News*, March 6, 2012



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## **MEMBERSHIPS & AFFILIATIONS**

### **Legal Affiliations:**

- State Bar of Michigan
  - Representative Assembly Member
    - Rules and Calendar Chairman for the Representative Assembly
- State Bar of Wisconsin
- Federal Bar Association
- Michigan State Bar Foundation
  - Fellow
- Oakland County Bar Foundation
  - Fellow

### **Industry & Professional Associations:**

- ICLE Litigation Planning Committee Member
  - Wolverine Bar Association
  - Michigan Yale Alumni Association
  - Yale Football Alumni Association
  - Floyd Skinner Bar Association, Former Board Member
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