



## Alexander S. Rusek

Shareholder

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Alexander Rusek is a rare trial lawyer under 40 who has tried numerous complex cases in the business world and the criminal law arena. His trial experience shapes how he advises and strategizes with clients in litigation and those facing potential litigation.

Most of Alex's work falls into three primary, often overlapping, areas: civil litigation, criminal cases, and administrative, regulatory, and investigative matters, including headline cases.

**Trials:** Jury verdicts and bench trials are a steady part of Alex's practice. He has tried breaches of contract and complex business dispute cases, civil rights cases, and criminal cases. His criminal cases have ranged from drunk driving offenses to first-degree premeditated murder and other life-offenses.

In 2023, Alex was awarded the Top 10 Under 40 Attorney Award for the State of Michigan by the National Academy of Criminal Defense Attorneys (NACDA). NACDA was established in 2013 with the primary goal of discovering and recognizing the TOP 10 UNDER 40 criminal defense attorneys in each state for their hard work.

**High Profile Litigation:** Handling the press and pressure are skills Alex has honed in high profile mass action and class action cases. He represented over 100 survivors of sexual assault in nationally recognized cases and a defendant in the sprawling Flint Water Crisis civil and criminal litigation.

### **Administrative & Regulatory Matters & Investigations:**

Individuals face some of the most challenging times in their lives when they find themselves involved in overlapping civil, administrative, and criminal matters. Alex guides people through these difficult situations –including state and federal regulatory investigations into business and other practices that may result in both civil litigation and criminal

### **PRACTICE AREAS**

Administrative Law  
Appellate Practice  
Business Law  
Commercial Litigation  
Criminal Law  
General & Commercial Litigation  
Governmental Relations  
Health Care  
Mass Tort  
Name Image Likeness (NIL) Legal Services Team

### **EDUCATION**

Michigan State University College of Law, *cum laude*, J.D., 2013  
Oakland University, B.A., 2010

### **BAR AND COURT ADMISSIONS**

State Bar of Michigan  
Supreme Court of the United States  
United States Court of Appeals for the Sixth Circuit  
United States District Court for the Eastern District of Michigan  
United States District Court for the Western District of Michigan  
United States District Court for the Southern District of Texas  
Saginaw Chippewa Tribal Court (Isabella County, Michigan)



prosecutions. Alex also represents healthcare and other licensed professionals in disciplinary and similar administrative proceedings, often while they are also facing criminal charges. These licensed professionals include doctors, pharmacists, dentists, nurses, counselors, attorneys, residential builders, barbers, etc.

**Tech in Litigation:** Alex is a proponent of using the latest resources to help his clients. He leverages his tech background to better understand tech subject matter disputes and to conduct eDiscovery efficiently and effectively. As litigation surrounding technology, eDiscovery, data privacy, and data protection heats up, Alex is available to assist clients.

In his time outside of work, Alex enjoys being an active leader in the State Bar and Ingham County Bar, mentoring undergraduate and law students, and actively supporting The Army of Survivors, Inc., a non-profit formed by survivors of sexual abuse, the mission of which is to spread awareness and combat sexual abuse in sport.

#### REPRESENTATIVE MATTERS

- Attorney Alexander S. Rusek successfully negotiated the dismissal of the assaultive criminal charges against his client less than one week before the start of the trial in the matter.
- Foster Swift attorney Alexander S. Rusek represented a corporate client and its employee in a criminal prosecution and secured the dismissal of two misdemeanor charges. Rusek successfully negotiated a dismissal of the criminal charges resulting in a *de minimis* fine for the client.
- Foster Swift attorneys Alaina Nelson and Alexander Rusek successfully advocated on behalf of a large healthcare facility client to overturn an *ex parte* restraining order entered against the client in circuit court within one week of Foster Swift's involvement in the case.
- Represented national corporation charged criminally for violating building codes and ordinances. Attorneys Alexander S. Rusek and Toi Thomas successfully negotiated a dismissal of the criminal charges resulting in a *de minimis* fine for the client.
- Represented over 85 survivor-plaintiffs and served as local counsel in civil cases arising from the Robert Anderson/University of Michigan sexual abuse scandal. These cases were resolved with a \$490,000,000.00 global settlement.

*Pro Hac Vice Admissions:* United States Bankruptcy Court for the District of Delaware

#### HONORS & RECOGNITIONS

National Academy of Criminal Defense Attorneys (NACDA), Top 10 Under 40 Award Michigan, 2023

Ingham County Bar Association, President's Special Recognition Award, 2023

Lansing Regional Chamber of Commerce, 10 Over Next Ten Award, 2018

Oakland University, 10 Within 10 Alumni Award, 2018

American Bar Association - Young Lawyers Division, Affiliate Star Award, 2018

Ingham County Bar Association (ICBA, Top 5 Under 35 Award, 2016

ICBA BRIEFS Featured Young Lawyer, 2016

- Represented over 40 survivor-plaintiffs and served as local counsel arising from the Larry Nassar/Michigan State University sexual abuse scandal. These cases were resolved with \$500,000,00.00 and \$380,000,000.00 settlements.
- Represented former public servant civil defendant in mass tort and class action cases arising from the Flint Water Crisis in the Supreme Court of the United States, Sixth Circuit Court of Appeals, Federal Eastern District of Michigan, Federal Western District of Michigan, Genesee County Circuit Court, Michigan Court of Appeals, and the Michigan Supreme Court. All causes of action against client were dismissed as part of a \$626,250,000.00 master settlement agreement.
- Represented and successfully argued to preserve client's Fifth Amendment rights in the context of concurrent criminal and civil litigation before the United States Sixth Circuit Court of Appeals in the published decision in *In re Flint Water Cases*, 53 F.4th 176, 183 (6th Cir. 2022), reh'g denied, No. 22-1353, 2023 WL 370653 (6th Cir. Jan. 5, 2023).
- Represented client charged with multiple criminal counts, including False Pretenses > \$100,000.00, Conspiracy, and Involuntary Manslaughter arising from the Flint Water Crisis. All charges dismissed in 2019.
- Represented client indicted by a grand jury in 2021 on charges of Willful Neglect of Duty arising from the Flint Water Crisis.
- Represented client as *amicus curiae* in the Michigan Supreme Court wherein the client was granted oral argument as *amicus curiae* and a favorable decision was reached by the Court in the published decision in *People v. Peeler*, 509 Mich. 381; \_\_\_ NW2d \_\_\_ (2022). Cited in § 8.1(b) Special grand juries, 3 Crim. Proc. § 8.1(b) (4th ed.).
- Represented client charged with Moving Violation Causing Death. All charges against the client were dismissed after presenting expert findings regarding the motor vehicle crash.
- Represented an international child advocacy non-profit think tank as *amicus curiae* in the Michigan Supreme Court.
- Represented client charged in Western District of Michigan in a multi-defendant interstate and international criminal conspiracy case.
- Represented clients who were sexually abused by clergy members as children.
- Represented client charged with homicide and other crimes. All charges against client dismissed in December 2020. Case is listed in the National Registry of Exonerations.
- Represented client in civil litigation for actions resulting in client's wrongful homicide conviction and subsequent imprisonment. Settled amicably within four months of filing Complaint in Michigan Circuit Court.
- Represented Licensed Practical Nurse in contested administrative proceedings wherein the client was accused of diverting medications from patients. Client was found to have not committed the alleged acts following a contested hearing before an Administrative Law Judge.
- Represented client charged with homicide and other crimes at trial.



- Represented former members of the Boy Scouts of America in civil litigation alleging sexual abuse by leaders and volunteers.
- Represented client in business court litigation wherein he won a Motion for Summary Disposition and the client was granted a permanent injunction for violations of Michigan's Uniform Trade Secrets Act.
- Represented client charged with multiple counts of homicide and other crimes on direct appeal in the Michigan Court of Appeals.
- Represented clients affected by the opioid crisis.
- Represented survivor of sexual abuse perpetrated by a former Speaker of the Michigan House of Representatives as victim advocate in criminal proceedings and in civil litigation.
- Represented minor client charged with Open Murder and firearm related offenses.
- Represented clients in Federal Tort Claim Act matters regarding the negligence of the Federal Bureau of Investigation in investigating sexual abuse committed by Larry Nassar.
- Represented client charged with Home Invasion 2nd Degree. All charges were dismissed after proving client's innocence prior to the Preliminary Examination.
- Represented pharmacist client in concurrent criminal and administrative licensing proceedings. Client was able to successfully maintain his license to practice as a pharmacist.
- Represented client charged with felony malicious destruction of property at Preliminary Examination wherein the Court dismissed the felony charge. Client re-charged with same crimes after initial dismissal at Preliminary Examination. Felony charge dismissed again following second Preliminary Examination.
- Represented former pediatricist and won reinstatement of client's medical license after a multi-day contested administrative hearing.
- Represented IRS 501(c)(3) nonprofit organization in relation to an age-based unlawful discrimination Complaint before the Michigan Department of Civil Rights. All charges were dismissed by the agency.
- Represented IRS 501(c)(3) nonprofit organization during negotiations with a major public research university related to a coordinated social work practicum between the organizations.
- Represented client in complex defamation and tortious interference civil litigation before the Michigan Court of Appeals and Michigan Supreme Court.
- Represented landlord in complex civil litigation alleging injuries from toxic mold exposure.

## **SPEAKING ENGAGEMENTS**

**Unintended Consequences Your College Student May Face**, *Foster Swift Second Wednesday Lunch Break*, October 11, 2023

**Catchup to ChatGPT: An Introduction to and Overview of Artificial Intelligence in 2023**, *Insurance Alliance of Michigan (AIM) Claims Seminar*, September 18, 2023

**ChatGPT: Your New Artificially Intelligent Associate?**, *Detroit Bar Association*, June 21, 2023



**An Overview of Michigan's Felony Sentencing Guidelines**, *Foster Swift Second Wednesday Lunch Break*, May 10, 2023

## **PUBLICATIONS**

**The AI revolution: A look back at 2023 and the future of AI in the law**, *Michigan Bar Journal: February 2024 Edition*, February 11, 2024

**An Introduction to Trauma-Informed Lawyering**, *State Bar of Michigan (SBM) Bar Journal*, August 22, 2023

**Cannabis Law Update**, *Ingham County Bar Association BRIEFS*, July 19, 2023

**ChatGPT: Your New Artificially Intelligent Associate?**, *Ingham County Bar Association BRIEFS*, March 27, 2023

**Expungement Process in Michigan**, *Foster Swift Business & Tax Law News*, October 31, 2022

**An Introduction to Trauma-Informed Lawyering**, *Spring/Summer 2022 State Bar of Michigan Litigation Journal and Ingham County Bar Association BRIEFS*, January 2022

**New Laws Pave Way for Statewide E-Filing System and Fees**, *Ingham County Bar Association BRIEFS*, March 2016

**How We Went to the Cloud: An Overview of Cloud Based Law Firm Practice Management Solutions**, *Ingham County Bar Association BRIEFS*, December 2015

**The Basics of iPad Trial Evidence Presentation**, *American Bar Association Trial Evidence, Fall 2014, Vol. 23, No. 1*. Quoted by "Tech in Trial: Advancing Techniques Means Increased Preparation," Jenna Greene, *The Am Law Litigation Daily*, November 2015

**Holmes Youthful Trainee Act Amendments Expand Eligibility for Young Adults Charged with Criminal Offenses**, *Ingham County Bar Association BRIEFS*, June 2015

**Amended Expungement Statute Eases Requirements to Set Aside Convictions**, *Ingham County Bar Association BRIEFS*, March 2015

**Who let the dogs out? U.S. Supreme Court rules on drug-sniffing dog cases**, *Ingham County Bar Association BRIEFS*, June 2013

**Resisting Unlawful Arrest: The Common Law is Common Again**, *Ingham County Bar Association BRIEFS*, September 2012

## **MEMBERSHIPS & AFFILIATIONS**

### **Legal Affiliations**

- State Bar of Michigan
  - Business Law Section, Criminal Law Section, Information Technology Law Section, Litigation Section (Governing Council, 2022-present), Young Lawyers Section
- Ingham County Bar Foundation
  - Vice-President (2023-present)
- Ingham County Bar Association



- Board Treasurer, August 2022 - present
- Board of Directors, 2016-present
- ICBA Young Lawyers President, 2017-2018
- Eaton County Bar Association
- Macomb County Bar Association
- Davis-Dunnings Bar Association
- American Bar Association
- Federal Bar Association, Eastern and Western District of Michigan Chapters
- Criminal Defense Attorneys of Michigan
- Michigan State University College of Law Alumni Association

### **Community Affiliations**

- Ingham County Board of Commissioners Equal Opportunity Committee
  - Member (1/2021-09/2021)
  - Chairperson (8/2018-1/2021)
  - Treasurer (11/2016-8/2018)
  - Ingham County Equal Opportunity Policy Review & Revision Subcommittee
    - Chair (1/2017-1/2021)
- Democratic Party of Michigan
  - Precinct Delegate – City of Lansing, Ward 1, Precinct 6 (Elected 08/02/2016; Re-Elected 8/7/2018; Re-Elected 8/2020-8/2022)
- Army of Survivors
  - Board Member
- Highfields
  - Board Member

### **RECENT BLOG POSTS**

#### **Health Care Law Blog**

DHHS Revises and Clarifies Guidelines for Patients' Informed Consent When Providing Sensitive Medical Care