

**ST. LOUIS**

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Robin Bryan  
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**PRACTICE AREAS**

Business Litigation

Creditors' Rights

General Business and Complex  
Commercial Litigation

Securities

Fiduciary Litigation

Franchise and Brand  
Development

Cybersecurity & Data Privacy

Trust and Estate Litigation

**EDUCATION**

University of Missouri, Columbia  
School of Law, *Order of the Coif*,  
1983

Culver-Stockton College, *summa  
cum laude*, 1980

**Michael A. Clithero**

Partner | [mclithero@lathropgage.com](mailto:mclithero@lathropgage.com)

Michael represents clients in a variety of industries, including banking and finance, construction, manufacturing and retail. He has successfully handled jury trials, bench trials, arbitrations and related appeals in many areas of civil litigation, including loan enforcement and defense, other financial services industry disputes, breach of warranty and other commercial contractual disputes and tort claims, non-competition and trade secret enforcement, broker-dealer litigation, lien enforcement and priority disputes, intellectual property disputes, products liability and trust and estate litigation.

Michael represents both franchisors and franchisees in disputes related to franchise agreements, and provides counsel regarding claims that a franchise agreement has been violated prior to litigation. Michael is well versed in ADR practices as most franchise agreements contain a mediation or arbitration clause.

His practice also includes real estate litigation, including condemnation and zoning matters, landlord/tenant issues and receiverships. In addition, Michael frequently represents property owners in real estate and personal property tax appeals.

**Court Memberships**

- Missouri
- U.S. District Court Eastern District of Missouri
- U.S. District Court Western District of Missouri
- U.S. District Court Southern District of Illinois
- U.S. District Court Central District of Illinois

- U.S. District Court Eastern District of Pennsylvania
- U.S. Court of Appeals Eighth Circuit
- U.S. Court of Appeals Third Circuit
- U.S. Claims Court

## Honors

- Martindale-Hubbell® "AV" Rating

## Professional Affiliations

- The Bar Association of Metropolitan St. Louis
- The Missouri Bar
- Risk Management Association
- BASE Foundation, Board of Directors
- St. Louis Cardinal Glennon Hospital, Homers for Health, Board Member

## Reported Decisions

- *Brown v. City of Maplewood*, 354 S.W.3d 664 (Mo.App. E.D. 2011)
- *Jim Thompson & Co., Inc. v. Bel-Air Restoration, L.L.C.*, 174 S.W.3d 9 (Mo.App. E.D. 2005)
- *State ex rel. Union Planters Bank N.A. v. Kendrick* (Mo Banc 2004)
- *Lakin v. Prudential Securities, Inc.*, 348 F.3d 704 (8<sup>th</sup> Cir. 2003)
- *A.G. Edwards Trust Company v. Miller*, 59 S.W.3d 550 (Mo.App. E. D. 2001)
- *Midwest Printing, Inc. v. AM International, Inc.*, 108 F.3d 168, 32 UCC Rep. Serv. 2d 134 (8<sup>th</sup> Cir. 1997)
- *St. Louis Tele-Communications, Inc. v. People's Choice TV of St. Louis, Inc.*, 955 S.W.2d 805 (Mo.App. E.D. 1997)
- *Hopmeier v. First American Title Insurance Company of Mid-West*, 856 S.W.2d 387 (Mo.App. E.D. 1993)
- *MRI Northwest Rentals Investments I, Inc. v. Schnucks-Twenty-Five, Inc.*, 807 S.W.2d 531 (Mo.App. E.D. 1991)
- *S.L. Motel Enterprises, Inc. v. East Ocean, Inc.*, 751 S.W.2d 114 (Mo.App. E.D. 1988)

## Publications

- Author, "A \$5,000,000 Issue - Are Class Action Waivers in Arbitration Agreements Enforceable?", *ACC St. Louis Fall Newsletter*, Fall 2014
- Author, "Is Your Arbitration Clause Prohibiting Class Arbitration Enforceable?", *Journal of the Missouri Bar*, July-August, 2013
- Author, "Mechanic's Lien Claims in Bankruptcy," *The Credit Manager's Survival Kit*, 1995
- Author, "Contractor's Liability for Defective Conditions on Real Property and Improvements Thereto," *The St. Louis Bar Journal*, Spring 1993
- Author, "Mechanic's and Materialman's Law in the State of Missouri," *The Credit Manager's Survival Kit*, 1993

## Presentations

- Speaker and panelist, "Procedure Matters - The New AAA Arbitration Rules and Proposed Changes to FRCP", State of Litigation Conference Presented by Lathrop Gage LLP and Co-Sponsored by ACC America, February 26, 2015
- Speaker, "Class Actions in Arbitration", ACC America, Association of Corporate Counsel, July 15, 2014
- Speaker, "No Good Deed Goes Unpunished - Loan Modifications and Forbearance Agreements, and Protecting the Bank from Lender Liability," Risk Management Association, November 7, 2013
- Speaker, "What You Can Do if a Customer/Client is Slow Pay, No Pay or Files Bankruptcy," Small Business Council of the St. Louis Regional Chamber and Growth Association (RCGA), May 1994
- Speaker, "ETHICS: Real Problems from the Real World," University of Missouri - Columbia School of Law, June 1992