



Michael (Mike) R. Gray

Partner

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Mike Gray represents companies and individuals in trial, arbitration, mediation, and other civil proceedings throughout the United States. As a member of the firm's Franchise and Distribution Practice Group, Mike is lead litigation counsel for several national franchise companies and has litigated, arbitrated, and mediated complex commercial cases in over 38 states involving all types of business disputes with a particular emphasis on franchise litigation and noncompete enforcement.

According to his clients, Mike is a "very solutions-oriented, insightful strategist." He is experienced in successfully guiding clients through the dispute resolution process, whether through trial, appeal, arbitration, mediation, or negotiation. For individuals and business clients, Mike provides counsel on a wide range of issues, including contract disputes, protection and exploitation of intellectual property, trademark and copyright protection, trade secret protection, licensing and distributorship disputes and relations. As a certified Neutral by the Early Dispute Resolution Institute, Mike brings his 35 plus years of complex commercial litigation experience to the table to help others resolve disputes before they become prolonged and expensive battles.

He has written and presented materials on franchise, litigation, and intellectual property topics for the American Bar Association, the International Franchise Association, St. Thomas University, the Minnesota Institute of Legal Education, the Business Law Institute, the Practising Law Institute, and the American Intellectual Property Law Association. In recognition of his industry-leading insight in franchise law, Mike was elected to the Governing Committee of the American Bar Association's Forum on Franchising, where he also served as Finance Officer and Co-Chair of the October 2018 ABA Forum Annual Meeting in Nashville, Tennessee. When not practicing law, you will find Mike at his cabin in Wisconsin, in his garage tinkering with one of his old cars or engaged in some type of home renovation.

Areas of Focus

Services

[Franchise & Distribution](#)

[Product Liability & Tort
Litigation](#)

[Non-Compete, Non-Solicit,
Trade Secrets & Other
Restrictive Covenants](#)

[Franchise Litigation &
Dispute Resolution](#)

[Appellate](#)

[General Business & Complex
Commercial Litigation](#)

[Neutral Alternative Dispute
Resolution Services](#)

Experience

- *American Arbitration Association (May 2022)* Obtained defense decision on behalf of franchisor on breach of contract, fraud and misuse of advertising fund claims brought by franchisee.
- *First Light Home Care v. Caresmartz, Inc (W.D.N.Y 2021)* Obtained a Temporary restraining order against software supplier preventing it from terminating access to enterprise software.
- *AmeriSpec, L.L.C. v. Sutko Real Estate Servs., Inc.*, No. 2:20-CV-02365-TLP, 2020 WL 3913584 (W.D. Tenn. July 10, 2020)(Obtained TRO and Preliminary Injunction enforcing post termination noncompete agreement against former franchisee and his non-signatory son and new corporate entity)
- *AmeriSpec, L.L.C. v. Omni Enterprises, Inc.*, No. 2:18-cv-02247-TLP-dkv, WL 2248459 (W.D. Tenn. 2018) (Obtained an injunction enforcing post-expiration noncompete agreement against former franchisees two years after expiration of the franchise agreement)
- *ServiceMaster of Fairfax, Inc. v. ServiceMaster Residential/Commercial Servs., L.P.*, No. CV PX 16-02589, 2017 WL 3023342 (D. Md. July 17, 2017) (Enforced franchisor's forum selection and choice of law provisions enforced notwithstanding Maryland franchise statute; case transferred to franchisor's home state)
- *Outdoor Lighting Perspectives Franchising, Inc. v. Perlmutter, et al*, 2012 U.S. Dist. LEXIS 53583 (W.D.N.C. 2012) (Obtained an injunction enforcing post-expiration noncompete agreement against former franchisees)
- *Outdoor Lighting Perspectives Franchising, Inc. v. Home Amenities, Inc., et al*, 2012 U.S. Dist. LEXIS 5406 (W.D.N.C. 2012) (Obtained an injunction enforcing post-expiration noncompete agreement against former franchisees)
- *Holtan Holdings, Inc. v. American Pie Pizza and Salads, Inc.*, 2010 U.S. Dist. Lexis 112353 (D. Minn. 2010) (franchisor's motion to dismiss complaint granted)
- *Cleveland v. AmeriSpec*, Bus. Franchise Guide (CCH) 14,267 (Fla. Cir. Ct. 2009) (Obtained summary judgment dismissing franchisee claims)
- *ServiceMaster v. Hooker, et al*, Bus. Franchise Guide (CCH) 13,457 (W.D. Tenn. 2006) (Obtained an injunction enforcing post-termination noncompete agreement against former franchisee and other nonsignatories after two-day court trial)
- *Merry Maids v. WWJD Enterprises, Inc.*, Bus. Franchise Guide (CCH) 13, 383 (D. Neb. 2006) (Obtained an injunction enforcing post-expiration noncompete agreement against former franchisee and other nonsignatories after two-day court trial)
- *Ross v. Culver Franchising System, Inc.*, 2004 WL 1898235 (N.D. Ill., Aug. 16, 2004) (Obtained summary judgment dismissing franchisee claims)
- *BTX Enterprises, Inc. v. The Terminix International Co., L.P.* Case No. 2:02-CV-860 (S.D. Ohio 2004) (Obtained unanimous verdict in favor of franchisor after two week jury trial).

Credentials

Education

- Mitchell Hamline School of Law, J.D.
- University of Wisconsin-Madison, B.B.A.

Bar Admissions

- Minnesota
- Wisconsin

Court Admissions

- U.S. District Court for the District of Colorado
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the Eastern District of Michigan
- U.S. District Court for the Western District of Michigan
- U.S. District Court for the District of Minnesota
- U.S. District Court for the Western District of Tennessee
- U.S. District Court for the Eastern District of Wisconsin
- U.S. District Court for the Western District of Wisconsin
- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Sixth Circuit
- U.S. Court of Appeals for the Eighth Circuit
- U.S. Court of Appeals for the Ninth Circuit

Recognition

- Selected among *The Best Lawyers in America*®, 2010-2025
- *Chambers USA: America's Leading Lawyers for Business*, Nationwide Franchise, 2016-2025
- *Minnesota Super Lawyers*, 2006-2025

- *Franchise Times*, "Legal Eagle," 2007-2025
 - *Franchise Times*, "Legal Eagles Hall of Fame," 2023
 - *Lexology Index*, Thought Leader – USA Franchising, 2025
 - *Lexology Franchise Guide* (formerly *Who's Who Legal*), 2010-2023
 - "Minnesota's Top Lawyers," *Minnesota Monthly*, 2022
 - AV® Preeminent™ Peer Review Rated from Martindale-Hubbell
 - BTI Client Service All-Star, 2014, 2016-2017
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Presentations

- Podcast Guest, "[Response To FTC Ruling Banning Noncompete Contracts With Michael Gray](#)," *FranchiseU! Podcast*, May 6, 2024
- "Ethics of Joint Representation: Representing Franchisors, Franchisees, and their Officers, Employees, and Affiliates in Litigation," American Bar Association 43rd annual Forum on Franchising, October, 2021
- "[Franchising in the Time of COVID-19: Managing Coronavirus-driven Disruption in Contracts, Supply Chains and More](#)" American Bar Association Forum on Franchising, March 22, 2020
- "Impact of California's Assembly Bill 5 on Franchisors" Gray Plant Mooty Webinar, October 3, 2019
- "Noncomplete Enforcement Today: Slam Dunk or Red Zone Problem?" American Bar Association 42nd Annual Forum on Franchising, Denver, Colorado, October 2019
- "Plowing New Ground – Litigating Selected Disclosure Issues Beyond Item 19," American Bar Association 39th Annual Forum on Franchising, Miami, Florida, November 1, 2016
- "Who Owns the Goodwill in a Franchise," American Bar Association 38th Annual Forum on Franchising, New Orleans, Louisiana, October 14, 2015
- "Franchise Joint Employer and Vicarious Liability Threats: Practical Steps to Minimize Risk," co-panelist, GPM Franchise & Distribution Practice Group Webinar, March 18, 2015
- "Annual Franchise and Distribution Law Developments 2013", American Bar Association 36th Annual Forum on Franchising, Orlando, Florida, October 1, 2013
- "Extraterritorial Reach of the Lanham Act," American Intellectual Property Law Association Annual Meeting, Washington DC, October 26, 2012
- "Distressing Transfers in Troubled Times: Thorny Issues in Transferring Financially Troubled Franchisees," IFA'S 51st Annual Convention, Las Vegas, Nevada, February 15, 2011

- "Frequent Arising Issues in Litigation," 43rd Annual IFA Legal Symposium, Washington, DC, May 10, 2010
 - "Non-Competes: Should We Use One?," International Franchise Association 41st Annual Legal Symposium, Washington, DC, May 1, 2008
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Publications

- "Covenants Against Competition in Franchise Agreements," American Bar Association Forum on Franchising (4th ed. 2022), Michael R Gray, Natalma M. McKnew and William W. Sentell, editors.
 - Author, "[Revisiting Franchise Agreements In Light of COVID-19](#)," Law 360, April 2, 2020
 - "Intellectual Property Issues in Franchising," Chapter 20, Intellectual Property Deskbook for the Business Lawyer: A Transactions-Based Guide to Intellectual Property, Fourth Edition, March 2019
 - "Why Franchisors Should be Concerned With Massachusetts HB4045," Franchising World, May 19, 2014
 - "Annual Franchise and Distribution Law Developments 2013," American Bar Association Forum on Franchising, January 2013
 - "Intellectual Property Issues in Franchising," Intellectual Property Deskbook for the Business Lawyer, American Bar Association Business Law Section (3rd ed. 2013)
 - "Advanced Trademark Annual Review 2012," Practising Law Institute, January 2012
 - "Covenants Against Competition in Franchise Agreements," American Bar Association Forum on Franchising, Michael R. Gray and Natalma M. McKnew, editors (3rd ed. 2012).
 - "Franchise Desk Book," American Bar Association Forum on Franchising, W. Michael Garner ed, 2nd ed 2008
 - Co-author, "[Covenants Not To Compete And Nonsignatories: Enjoining Unfair Conspiracies](#)," Franchise Law Journal, December 31, 2006
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Professional Activities

- American Bar Association Forum on Franchising, Governing Committee
- Federal Bar Association
- International Franchise Association, Legal/Legislative Committee
- Minnesota State Bar Association
- Certified Neutral, Early Dispute Resolution Institute

Community Involvement

- Volunteer Lawyers Network, Pro Bono Volunteer
- Hennepin County Housing Court, Pro Bono Volunteer
- Hennepin County Small Claims Appellate Court, Pro Bono Volunteer
- Crab Lake Conservation Foundation, Vice President, Board of Directors