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TRAILBLAZERS

LITIGATION

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PIONEER SPIRIT Mike Abrams has always loved oral advocacy, going back to his days as a high school debater. He went on to earn his B.A. from Brandeis University and graduated from Emory University School of Law. "I've always enjoyed the thrill of the courtroom and the challenge of crafting a persuasive argument."

TRAILS BLAZED A partner in the firm's Kansas City, Missouri, office, Abrams represents clients in a variety of commercial litigation matters, including maintaining a substantial jury trial practice in federal and state court, appellate practice and alternative dispute resolution. He has extensive experience in all phases of business and contract law, accounting law, insurance matters, real estate, oil and gas disputes and media and communications law. And he has successfully defended and prosecuted jury and bench trials involving business torts, fraud, consumer protection claims, trade secrets, covenants not to compete and professional liability and insurance coverage.

His practice includes holding insurance companies to the terms of the policies and maximizing recoveries for policyholders. Abrams represents a range of clients from large companies to small-business owners. He is part of the Lathrop Gage team representing wrongfully convicted people by recovering restitution from the insurance carriers of the municipalities and government entities that imprisoned them. "Most recently, in the Bivens, Dixon and Ruffin case in Mississippi, we represented three men who were wrongfully convicted and collectively spent 83 years in prison for a murder and rape they did not commit. We were able to pursue law enforcement agencies for their wrongful acts and secure a \$16.5 million insurance coverage settlement years after conviction."

Many of his insurance matters have resulted in written decisions in federal court, and several of his cases have been cited numerous times in briefs and rulings in U.S. district courts. *Foliar Nutrients, Inc., Big Bend Agri-Services, Inc., and Monty Ferrell v. Nationwide* has been cited in decisions by the Ninth and Eleventh Circuits. "On behalf of Foliar Nutrients, we were able to secure coverage in the Middle District of Georgia." The matter began as a patent infringement suit but transmuted into a coverage dispute regarding duty to defend. Abrams was able to settle the case for client Big Bend before trial in February 2017.

He also led Security Benefit to a trial victory against Lloyd's of London in a matter that went before the Tenth Circuit twice, finally resulting in a judgment that exceeded \$1.5 million. That judgment was upheld in April 2018.

In another of his cases, a 123-year-old family-owned engineering company with more than 500 employees faced the possibility of closing its doors after a class-action lawsuit was brought by area citizens, who claimed they were exposed to asbestos during renovation work being done by the company. Abrams represented the company in bringing claims against its insurers to fund a \$125 million settlement of a medical monitoring class-action lawsuit. The case was settled in October 2016.

FUTURE EXPLORATIONS A great deal more attention will be paid to the application and due diligence process. "Policyholders need to be so careful about how they go through the due diligence and underwriting process, so carriers don't find a way to deny coverage based on the way they have answered questions. Underwriting and applications will become more complicated, and policyholders need to be more diligent in order to not jeopardize their coverage."