



## Adam A. Fadly

Shareholder

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Adam is a litigator who assists his insurance clients with analyzing and resolving a variety of claims in the most cost-effective manner, and defending against them when litigation is required. Specifically, Adam handles complex insurance coverage litigation, including, first and third party no-fault litigation, uninsured/under-insured motorist claims, asbestos claims, and medical malpractice defense. He also represents clients in a variety of general civil and commercial litigation and is the current co-leader of Foster Swift's Litigation practice group.

His experience includes:

- Drafting, responding to and arguing dispositive motions in state and federal courts
- Taking and defending depositions, including those of expert witnesses
- Preparing for and trying complex trials to verdict
- Drafting case evaluation and facilitation and arbitration summaries and negotiating favorable settlements
- Examining priorities for the payment of first-party "PIP" benefits, defending against uninsured and underinsured motorist claims, evaluating "threshold" injuries, analyzing liability and causation issues and reviewing insurance policy exceptions and exclusions in coverage disputes
- Consulting medical examiners and independent investigators

Adam is a graduate of Western Michigan University. He earned his law degree *cum laude* from Michigan State University College of Law. While at MSU, he was a captain of the College of Law Moot Court and Trial Advocacy Board and editor-in-chief of the *Journal of Entertainment & Sports Law*. He also completed a judicial externship with the late Justice Elizabeth A. Weaver of the Michigan Supreme Court. Adam speaks Arabic fluently.

### PRACTICE AREAS

Business & Commercial Litigation  
Insurance Defense  
Medical / Professional Malpractice Defense  
No-Fault Litigation  
Procurement Services  
General & Commercial Litigation

### EDUCATION

Michigan State University College of Law, J.D., 2009, *cum laude*  
Western Michigan University, B.B.A., 2006, Finance and Commercial Law

### BAR AND COURT ADMISSIONS

Michigan  
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 Northern District of Indiana  
U.S. District Court for the Southern District of Indiana

### HONORS & RECOGNITIONS

*Michigan Super Lawyers* "Rising Star," Civil Litigation: Defense, 2016-2023



## REPRESENTATIVE MATTERS

- Successfully defended foreign insurance company in coverage dispute by drafting and arguing motion to dismiss in the U.S. District Court for the W.D. of Michigan. On appeal, drafted appellee's brief, and the U.S. Court of Appeals for the Sixth Circuit affirmed judgment. *Miller v. AXA Winterthur*, 694 F.3d 675 (6th Cir. 2012).
- Obtained several dismissals on discovery and dispositive motions in first party no-fault and commercial litigation cases.
- Obtained dismissals on behalf of insurers in nearly 80 different cases within 1 year on fraud, standing, discovery, and coverage grounds.
- Obtained summary disposition on behalf of injured party's personal auto insurer in first party no-fault case involving priority dispute with injured party's employer's insurer.
- Secured dismissal on behalf of insurer in first party no-fault case one week prior to trial on a pre-trial motion regarding insufficient answers to requests for admissions.
- Negotiated numerous favorable settlements on behalf of insurers.
- Obtained \$600,000 case evaluation award in no-fault medical provider reimbursement case that included interest and attorney fees.

## PUBLICATIONS

**A Practical Approach to Preserving and Asserting No-Fault Fraud Defenses in the Wake of Haydaw, Fortson and Glasker-Davis**, *State Bar of Michigan (SBM): The Journal of Insurance and Indemnity Law*, September 2, 2020

**Summary of Glasker-Davis**, *Foster Swift Litigation News Update E-blast*, September 2, 2020

**Summary of Meemic v Fortson**, *Foster Swift Litigation News Update E-blast*, September 2, 2020

**Recent Updates to Michigan No-Fault Act Changes**, *Foster Swift Litigation News Update E-blast*, June 20, 2019

## MEMBERSHIPS & AFFILIATIONS

### Legal Affiliations

- Michigan State Bar Foundation
  - Fellow
- State Bar of Michigan