

# CAREY A. DEWITT

SHAREHOLDER

Troy

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Carey A. DeWitt has successfully represented clients in litigation in circuit, appellate, and federal courts throughout the state of Michigan and beyond. His experience includes advising and representing employers and entities in all phases of litigation and in commercial and labor arbitration. Colleges and universities, technology-based companies, manufacturers, hospitals and health care institutions, construction-related enterprises, auto suppliers, law firms, and a variety of service providers have all benefited from his skill developed over the course of his decades-long career.

Carey A. DeWitt represents employers and enterprises in all phases of litigation, including employment discrimination matters, commercial and employment trade secret matters, employment contract and executive termination cases, anti-raiding and unfair competition cases, as well as in commercial and labor arbitration.

Mr. DeWitt's experience includes victories in state, appellate, and federal courts across Michigan and nationally. He has considerable experience representing clients in commercial and employment litigation such as trade secret and non-compete matters, litigation involving alleged sexual harassment, disability, gender, race, age discrimination, defamation, and retaliation. Carey has represented numerous clients in labor arbitrations on matters including alleged misclassification of work, non-promotion of bargaining unit employees, disability benefits, and issues surrounding employee health insurance. Among the entities for which Mr. DeWitt has been proud to provide counsel and representation over the course of his career are colleges and universities, technology-based companies, manufacturers, hospitals and health care institutions, construction-related

## Primary Practice Areas

Education Industry Team

Labor and Employment

Trade Secret & Non-Compete  
Specialty Team

## All Related Practice Areas

Alternative Dispute Resolution  
(ADR)

Education Industry Team

Emerging Technology Specialty  
Team

Employment Litigation

Job Discrimination & Wrongful  
Discharge

Labor and Employment

Litigation and Dispute  
Resolution

Non-Compete & Trade Secret  
Technology

Trade Secret & Non-Compete  
Specialty Team

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enterprises, auto suppliers, law firms, and various service providers.

Carey is a Shareholder practicing in the firm's Troy office and is past Chair and Practice Group Leader of the firm's Labor and Employment Practice Department. As a member of Butzel's Labor and Employment Practice Department he specializes in alternative dispute resolution, employment litigation, job discrimination, and wrongful discharge. He is additionally a member of the firm's Trade Secret & Non-Compete Specialty Team, Education Industry Team (Co-Chair), Technology Practice Department, and Emerging Technology Specialty Team.

Dedicated to sharing his knowledge, Mr. DeWitt frequently provides industry updates to clients and others and has served as the featured speaker at numerous conferences and forums during his lengthy legal career. The topics of his most recent presentations include non-compete clauses in employment agreements, recruiting and retaining talent, and state of the art trade secret protection.

### **Representative Decisions/Matters**

#### Trade Secret and Other Commercial Litigation

- *Polytorx v. Regents of the University of Michigan*, Michigan Court of Appeals, 2015 WL 2144800 (Court of Claims, May 7, 2015) (licensing, commercial trade secrets; claim dismissed; dismissal affirmed)
- *Swirple, et al v. MGM Grand Detroit* (Wayne County Circuit Ct. Case no. 17-010953-CZ), *affirmed*, Michigan Court of Appeals, Case No. 345284 (Feb. 4, 2020) (casino not liable to creditors of patron)
- *Superior Consultant Company v. Walling*, 851 F. Supp. 839 (E.D. Mich. 1994, Cohn, J.), appeal dismissed, 48 F.3d 1219 (6th Cir. 1995) (Vice President's covenant not to compete; permanent injunction obtained after trial as to non-use of trade secrets/bar of employment/non-solicitation)
- *JM Polymers, LLC v. [Defendant]*, Case No. 13-3899-CK (Macomb County Business Court, Foster, J., 2014) (non-compete and trade secrets claim; Court ordered injunction against solicitation and imposed constructive trust regarding trade secrets)
- *Wilcox Associates, Inc. v. Xspect Solutions, Wenzel Group, et al.*, Case No. 2:08-CV-12388 (E.D. Mich. 2009, Roberts, J.) (Uniform Trade Secrets Act; preliminary and permanent injunctions as to senior software engineer's employment, non-use of secrets, and competition obtained)

#### Employment Litigation

- *[Plaintiff] v. University of Detroit Mercy (UDM), et al.*, Case No. 13-008428-CD (Wayne County Circuit Court, Smith, J., 2014) (alleged sexual harassment, race discrimination, retaliation)
- *[Plaintiff] v. Michigan Technological University*, Case No. 2:17-cv-00113-GJQ-TPG (W.D. Mich. 2018, Quist, J.) (alleged employment discrimination, retaliation)
- *Gall v. RheTech, Inc.*, Case No. 07-764-CZ, (Washtenaw County Circuit Court, Brown, J., 2009) (age discrimination claim by former company president)

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### Selected Labor Arbitrations

- *American Association of University Professors (AAUP) and Board of Regents of Eastern Michigan University* (Glendon, Arb., 2010) (Arbitrator rules, *inter alia*, that University Board may take into account "non-academic" behavior of professor upon application for tenure)
- *Michigan Technological University and AFSCME Council 25*, Labor Arbitration, AAA Case No. 54-390-01037-02 (Glendon, Arb., 2005) (bargaining unit work dispute related to the University's Keweenaw Research Center)
- *University of Detroit Mercy and UDMSSA*, AAA Case No. 54 390 01449 07 (Dahn, Arb., 2008) (disability benefits under collective bargaining agreement)

## Credentials

### EDUCATION

University of Michigan Law School Law School 1984, J.D.

Michigan State University Undergraduate 1981, B.A.

### ADMISSIONS

Michigan

### MEMBERSHIPS

National Association of College and University Attorneys (NACUA)

Society for Human Resource Management (SHRM)

State Bar of Michigan (Labor and Employment Law and Litigation Sections)

American Bar Association (Labor and Employment Law and Litigation Sections)

Federal Bar Association

Oakland County Bar Association

Detroit Metropolitan Bar Association

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### Awards & Recognitions

*Chambers USA*: America's Leading Lawyers for Business – Labor and Employment Law

*The Best Lawyers in America®* – Employment Law – Management, Litigation – Labor and Employment, 2007–2026; Trade Secrets Law, 2025–2026

Michigan *Super Lawyers* – Employment and Labor, 2006–2025; Intellectual Property Litigation: Corporate Counsel

*DBusiness* Top Lawyers in Metro Detroit – Trade Secrets, 2014, 2017–2019; Litigation – Labor Employment Benefits, 2016, 2020–2023; Labor and Employment, 2024, 2025

Michigan State Bar Foundation – Fellow, 2008–present

### Community & Professional

Metropolitan Affairs Coalition, a regional public-private partnership of Labor, Business and Government (2008–present)

Education Reform Task Force (2016–2017)

Local Government Finance Task Force (2017–Present)

Birmingham Little League Baseball (Michigan) (1999–2005)

Birmingham Hockey Association (Michigan) (2005–2009)