

MICHIGAN LAWYERS WEEKLY

# LEADERS IN THE LAW

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# Michael E. Cavanaugh

## Fraser Trebilcock Davis & Dunlap, P.C.

Education: University of Michigan Law School, 1968

Specialty: Commercial litigation/employment law

If not for a flaming river, Michael E. Cavanaugh might be one of Ohio's preeminent securities attorneys.

Instead, he is a partner with an incredibly successful career in commercial litigation at Lansing-based Fraser Trebilcock Davis & Dunlap, P.C.

After graduating from University of Michigan Law School in 1968, Cavanaugh moved to Cleveland to work for Squire, Sanders & Dempsey, a leading corporate law firm. He spent five months in the securities department writing real estate investment trusts.

"It was a very patterned practice," he said. "Once you've done a couple of them, you'd done them all."

In May 1969, shortly after passing the bar exam, Cavanaugh, an Army ROTC officer who had been on reserve during law school, was called up to serve in Vietnam.

Shortly after that, the Cuyahoga River caught fire, which changed his outlook on returning to Cleveland.

"We decided that anyplace where the river burns for a week is not a good place to live so we started looking around and was sold on Lansing," he said.

While in Vietnam, he wrote to Fraser Trebilcock expressing an interest in working for the firm.

"I was interviewed by Don Hines and Joe Foster when I was still in law school and was very impressed by them," he said. "Add to that the fact that Lansing is a great place to raise a family. It's a very livable city, especially in comparison to Cleveland."

He joined the firm upon his return in 1971. He's been there since.

One of Cavanaugh's best known cases mixed primates and politics. Sen. William Proxmire, D-Wis., disparaged the federally funded work of a researcher studying primate aggression. Proxmire gave the researcher a "Golden Fleece Award," accusing him of "making a monkey out of the U.S. taxpayer."

Representing the researcher, Cavanaugh sued for defamation. Proxmire argued his statements were protected because they were made on the Senate floor. Cavanaugh said the statements weren't protected because Proxmire republished them in press releases.

Every level of lower court agreed with the senator, but Cavanaugh ultimately prevailed when the U.S. Supreme Court ruled in the researcher's favor. The case is

widely cited in constitutional law textbooks.

Cavanaugh said the key to being a successful litigator is in preparation.

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The son of a funeral home operator, Cavanaugh grew up living on the second floor of the funeral home in Jackson.

"It wasn't until I was 10 years old that I realized that not everyone has bodies in the basement," he joked.

He said the funeral business was truly a true family affair. His sister played the organ, while he did everything from fixing the ambulance to helping embalm bodies.

Cavanaugh and his wife, Cammie, will celebrate their 45th anniversary this year. They have four adult children. His son, Brian, is a partner in Butzel Long's Lansing office.

He's been active in the Lansing community as a member of the Lansing Regional Chamber of Commerce, Rotary Club of Lansing and as his children's youth soccer coach.

— BRIAN FRASIER, ESQ.