



## Richard G. Szymczak

PARTNER

38505 Woodward Ave., Suite 100

Bloomfield Hills, MI 48304

T: (810) 342-7007 | F: (248) 901-4040

rszymczak@plunkettcooney.com

### Practice Areas

Banking & Financial  
Services Litigation

Insurance Coverage Law

Real Estate Litigation & Title  
Insurance Law

### Education

- Wayne State University  
School of Law, J.D.,  
1978
- Michigan State  
University, B.A., 1975

### Admissions

Michigan, 1978

Richard G. Szymczak is a member of Plunkett Cooney's Torts & Litigation Practice Group who has extensive expertise in the areas of commercial litigation, including banking and real estate disputes, and the defense of complicated personal injury actions.

As lender's counsel, he has litigated matters on behalf of some of the largest financial institutions in the United States. He has also successfully represented Fortune 500 corporations in contractual, transactional and product liability litigation.

Mr. Szymczak, who previously worked for eight years as in-house counsel for The Hartford Insurance Group, practices in the area of insurance coverage, defending insurance carriers in matters involving coverage for assault and battery, environmental liability and the priority of responding insurers in multi-party litigation. His practice also includes the resolution of title insurance disputes, including claims involving the representation of insured lenders, title insurance agents and major title insurers in disputes regarding the extent of coverage.

An approved continuing education instructor for the states of Texas and Illinois, Mr. Szymczak has provided numerous in-service programs and client seminar in these states, as well as throughout Michigan. In addition, Mr. Szymczak judges a prestigious annual moot court program for Wayne State University Law School and mentors young lawyers.

### Notable Cases

- *Bank of America v. Daystar* -- Successfully appointed a receiver to take over the borrower's office condominium complex. When fire

RICHARD G. SZYMCZAK Cont.

destroyed the complex, we then pursued the insurer--retained by our receiver--who covered the complex. The result was a six-figure litigation recovery in federal court.

- *Genisys Credit Union v. Greenbriar* -- Pursuing the loan on a mobile home park, the firm's client was forced into litigation. After borrower defaulted on paying the \$900,000 judgment, counsel was successful in having a receiver appointed as a post-judgment collection effort. The receiver exercised her powers and without a formal foreclosure, took over and sold the park.
- *Marko v Talmer Bank* -- Counsel successfully defended the client's mortgage against a challenge by the ex-wife of one of the home's owners. The ex-wife had been awarded her spouse's interest in the home in a divorce judgment. The spouse had purchased the mini mansion on San Marco Island with a business partner as an investment. The mortgage was a means to finance the partner's share of the purchase price, which necessitated a quit claim deed from the ex-husband to the partner to clear title followed by a quit claim back to the two partners. The ex-wife filed a fraud/conspiracy challenge to the mortgage which counsel defeated in court, leading to her buyout of the mortgage to clear title in her favor after the borrower partner's default.
- *PNC Bank v. Plastic Surgery Institute of Michigan* -- A multi-obligation relationship between bank and plastic surgeon borrower deteriorated into multiple lawsuits, following foreclosure by advertisement on the one worthwhile property involved. Judgments in the bank's favor were entered, a creditor's examination revealed an easily liquidated asset and the remaining five-figure installment payments satisfied the judgments, including interest and attorneys fees.

## Representative Client Work

- Trial counsel for two insurers in an environmental coverage dispute with five Macomb County municipal corporations during which the trial lasted nine months
- Successfully defended title insurer against Fortune 500 banking institution in dispute over coverage for real estate transaction
- Counsel for property management company in defense of a \$2,500,000 claim by a property owner over alleged misfeasance
- Defense team member for a major property/casualty insurer in litigation of coverage disputes with chemical companies and utilities in Michigan, Indiana and West Virginia

## Professional Affiliations

- Genesee County Bar Association
- Michigan Defense Trial Counsel
- State Bar of Michigan

RICHARD G. SZYMCZAK Cont.

### **Honors & Recognitions**

- Martindale-Hubbell's highest rating-AV Preeminent™ Peer Review Rated