

Melissa Benton Moore

Member

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Melissa Moore represents clients in complex commercial litigation matters throughout the country, from investigation and counseling through discovery, trial, and appeals, along with extrajudicial proceedings through arbitration and mediation. In and out of the courtroom, she counsels parties on both sides of the “v” – whether as a plaintiff or defendant.

Melissa focuses on representing clients in contract, lender liability, debtor-creditor rights, and other workout matters. She also handles actions involving real property rights, including quiet title, lease, condemnation, zoning, and easement disputes. Her clients include national financial institutions and outdoor advertising agencies, along with regional banks and commercial real property developers and owners.

As a litigator, Melissa excels at managing risk and obtaining results. Some of her most meaningful achievements include successfully defending a national bank against a

practices & industries

Litigation and Alternative
Dispute Resolution

education

The Ohio State University
Moritz College of Law, J.D.,
Order of the Coif

University of Michigan, B.A.,
with High Distinction

admissions

Michigan

guarantor's fraud allegations, where she persuaded the trial court to dismiss the claims as baseless and to find that the bank's loan documents were enforceable. In a rare published opinion, the Michigan Court of Appeals affirmed the decision and established a binding precedent on which financial institutions now rely when defending against lender liability claims. Because of Melissa's advocacy in the trial court and on appeal, the client avoided hundreds of thousands of dollars in exposure.

U.S. Ct. of Appeals, 6th Cir.
U.S. District Ct., E.D. Mich.
U.S. District Ct., W.D. Mich.

Melissa also served as second chair at a week-long bankruptcy court trial, where she defended a national financial institution against a borrower's claims for fraudulent concealment, aiding and abetting breaches of fiduciary duty, and subordination of the bank's loan. At the conclusion of the bench trial, the court dismissed all of the borrower's claims, which avoided subordination of the bank's \$30 million loan and millions of dollars in requested punitive damages.

Besides litigation, Melissa advises clients in business and corporate transactions. In one such matter, she helped a client negotiate the multi-million dollar sale of a commercial property and corresponding lease agreement, yielding a substantial profit toward the business's bottom line.

Melissa began her legal career at Bodman in 2009, where she developed into a seasoned attorney over the next seven years. She rejoined the firm in 2019 after serving as a research attorney for the Hon. Shalina Kumar, then Chief Judge of the Oakland County (Michigan) Circuit Court and now U.S. District Court Judge for the Eastern District of Michigan.

Outside of the office, Melissa enjoys volunteering at her children's elementary school and attending travel soccer games. She also is an avid runner and has completed two half marathons.

PROFESSIONAL AFFILIATIONS

- Oakland County Bar Association
- State Bar of Michigan
 - Appellate Practice, Litigation, and Real Property Law Sections

REPRESENTATIVE MATTERS

- Obtained a significant judgment following a four-day contentious trial regarding neighboring landowners' respective easement and other real property rights. Trial court adopted, in large part, Melissa's proposed findings of fact and conclusions of law and proposed final judgment.
- Secured a temporary restraining order and preliminary injunction to halt a lender from seizing its borrower's assets after wrongfully declaring a default. Negotiated a settlement and new loan structure to avoid shut-down of the client's business.
- Defended an outdoor advertising agency against a property owner's claims for removal of a billboard and successfully negotiated an advantageous settlement, which allowed the client to erect a new, more profitable digital billboard at the location.
- Filed suit to enforce a client's option to purchase a building in its lease agreement. After prevailing on summary judgment, Melissa was able to leverage negotiation of more favorable lease terms and a substantial settlement payment.