



## Patrick F. Hickey

PARTNER

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### INDUSTRIES & PRACTICES

Employment, Trade Secret & Non-Compete Counseling & Litigation  
Privately Owned Business Disputes

### BAR ADMISSIONS & ASSOCIATIONS

Member of the Bar, State of Michigan  
Detroit Metropolitan Bar Association,  
Judicial Candidate Evaluation Committee  
American Bar Association  
Federal Bar Association, Detroit Chapter

### COMMUNITY INVOLVEMENT

American Employment Law  
Council (AELC)  
Catholic Lawyers Society of Metropolitan  
Detroit, Past President and Director  
Meadowbrook Country Club,  
Past President and Board Member

Patrick Hickey is a founding member of HHBJ Law, specializing in business and employment litigation and counseling, with an emphasis on trade secret, non-compete, employment and ERISA litigation. Before founding HHBJ Law in 2016, Mr. Hickey practiced at a national law firm headquartered in Detroit for thirty-two years, serving on its Executive Board and as leader of the Labor & Employment Practice Group.

Mr. Hickey has been recognized in the areas of employment litigation, commercial litigation, bet-the-company litigation and ERISA litigation by Chambers USA, Best Lawyers in America, Michigan Super Lawyers, Benchmark Litigation and DBusiness Top Lawyers.

## EXPERIENCE

### Trade Secrets, Non-Competes and Unfair Competition

Mr. Hickey regularly counsels clients in all industries on the effective protection of their trade secrets, competitive interests and other intangible assets and the avoidance of claims for misappropriation or unfair competition when hiring employees from competitors. When misappropriation or breach of a non-compete agreement occurs or is suspected, he prosecutes and defends claims on behalf of clients in state and federal courts in Michigan and across the country. In 2014, he received the largest jury verdict in the State of Michigan in a trade secret misappropriation case.

### Employee Retirement Income Security Act (ERISA) Disputes

Mr. Hickey has years of experience representing clients in all forms of litigation arising under the Employee Retirement Income Security Act (ERISA), including claims asserted against health and welfare plans, and their sponsors, fiduciaries and administrators. His experience includes defending class and collective actions and single plaintiff claims for disability, death, health, welfare and pension benefits, including claims for breach of fiduciary duty, discrimination, and plan modification and termination. He also regularly represents employers and executives in disputes relating to long term incentive plans, and executive compensation and severance agreements.

### Uniform Commercial Code Disputes

For over thirty years, Mr. Hickey has counseled clients and successfully resolved litigation issues relating to the purchase and sale of goods under the Uniform Commercial Code. His litigation experience includes claims for actual or threatened termination of supply contracts, breach of warranty, pricing disputes and indemnity.

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## Employment Counseling and Litigation/ Executive Employment Contracts

Mr. Hickey regularly counsels clients regarding day-to-day employment issues, including internal investigations, discipline, terminations, policies and compliance with laws. He has litigated all forms of employment claims, including discrimination, retaliation and whistleblower claims.

## Other

Throughout his career Mr. Hickey has litigated and arbitrated all types of business disputes, including:

- Shareholder Claims
- Post-Acquisition Earn-Out Disputes
- Sales Commission Claims

## SIGNIFICANT DECISIONS

*Varlesi v. Wayne State University*, 909 F.Supp. 2d 827 (E.D. Mich. 2012)

*Allen v. Sears Roebuck*, 803 F.Supp. 2d 690 (E.D. Mich. 2011)

*Mills v. Williams*, 476 F.Supp. 2d 653 (E.D. Mich. 2007)

*Local 6-0682 International Union of Paper v. National Indus. Group Pension Plan*, 342 F.3d 606 (6th Cir. 2003)

*Marks v. Newcourt Credit Group, Inc.*, 342 F.3d 444 (6th Cir. 2003)

*Niemi v. NHK Spring Co. Ltd.*, 276 F.Supp.2d 717 (E.D. Mich. 2003)

*Broad, Vogt & Conant, Inc. v. Alstom Automation, Inc.*, 200 F.Supp.2d 756 (E.D. Mich. 2002) and 186 F.Supp.2d 787 (E.D. Mich. 2002)

*Minnis v. McDonnell Douglas Technical Services Co.*, 162 F.Supp.2d 718 (E.D. Mich. 2001)

*Advanced Plastics Corp. v. White Consol. Industries, Inc.*, 828 F.Supp. 484 (E.D. Mich. 1993)

*Sullivan Industries, Inc. v. Double Seal Glass Co., Inc.*, 192 Mich. App. 333, 480 N.W.2d 623 (1991)

*Pijanowski v. Cleveland Clinic Foundation*, 635 F.Supp. 1435 (E.D. Mich. 1986)

## SEMINARS, SPEECHES & PUBLICATIONS

Drafting and Enforcing Non-compete Agreements and Other Restrictive Covenants, State Bar of Michigan 2000

Non-competes, Trade Secrets and Confidential Information, Institute of Continuing Legal Education 1999

Blog Posts Sneak Preview: EEOC Issues Draft Strategic Enforcement Plan

## AWARDS & RECOGNITION

Recognized in Michigan Super Lawyers® for Business Litigation, Employment Litigation: Defense, 2006-2015

Named Detroit "Lawyer of the Year" for Litigation - ERISA by Best Lawyers® 2013

Recognized in The Best Lawyers in America® for Bet-the-Company Litigation, 2010-2016, Commercial Litigation, Construction Litigation and Labor & Employment Law, 2010-Present, ERISA Litigation, 2017. Copyright 2015 by Woodward/White, Inc., Aiken, SC

Named a Michigan Leading Lawyer in the areas of Employment: Management and Trade Secrets/Unfair Competition Law by the Leading Lawyers Network, 2014-2015. Law Bulletin Publishing Company

Named a Litigation Star by Benchmark Litigation, 2013-2015  
Named a Leading General Commercial Litigation and Labor & Employment Lawyer by Chambers USA, 2008-2015

Named a Top Lawyer by DBusiness Magazine for Bet-the-Company Litigation, Commercial Litigation, Employment Law Management, Labor Law - Management, Litigation - Construction, Litigation - ERISA, and Litigation - Labor & Employment, 2010-2012, 2015

Named one of Top 100 Super Lawyers in Michigan, 2009  
Recipient of an AV® Preeminent™ Rating by Martindale-Hubbell



**HICKEY HAUCK  
BISHOFF & JEFFERS** PLLC