

Timothy A. Diemer, Esq.

Jacobs and Diemer, P.C.

www.jacobsdiemer.com

Ever since joining the firm in 2005, clients have called upon Timothy A. Diemer to advocate on their behalf across a wide range of jurisdictions. Corporations, insurance carriers, small businesses, hospitals and doctors, municipalities and other civil litigants have benefitted from Tim's vigorous advocacy in state and federal courts, including the Supreme Court of the United States.

While Jacobs and Diemer's unique specialty is reversing devastating money judgments, Mr. Diemer's appellate practice is diverse and wide-ranging. Tim has extensive experience defending hard fought trial court victories against challenges on appeal, litigating insurance coverage matters in trial and appellate courts, and compelling interlocutory reversals of adverse evidentiary rulings or wresting the case away from the trial court when controlling questions of law present an opportunity for early appellate review before valuable resources are poured into a trial that may not be necessary. Tim also prides himself on his pro bono work, providing his legal services free of charge for the less fortunate.

In his time with the firm, Mr. Diemer has garnered numerous awards and accolades that recognize him for his talent as an appellate and insurance coverage specialist. At the age of 32, Mr. Diemer was honored as a biographee in Best Lawyers of America, making him one of the youngest Appellate Lawyers in America to be so recognized. At the age of 35, Mr. Diemer became the youngest to ever serve as President of Michigan Defense Trial Counsel, a statewide association of trial lawyers who nominated an appellate lawyer to advocate on their behalf and serve as their leader.

Mr. Diemer recently earned two significant victories on behalf of municipal clients, including vindication of the rights of the City of Grosse Pointe in an insurance coverage dispute with the same insurance company Grosse Pointe Woods is currently facing.

Summary Judgment Granted in Favor of Policy Holder on Duty to Defend; Costs, Attorney's Fees and Penalty Interest Awarded

When the City of Grosse Pointe was faced with a civil rights lawsuit for money damages, it faced the additional, daunting prospect of defending the claim without any liability insurance protections. After the city's insurer carrier declined to cover the claim, Tim Diemer was hired to pursue a breach of contract and declaratory judgment action in federal court. After a year and a half of litigation, U.S. Specialty Insurance Company was compelled to live up to its insurance commitments by the grant of summary judgment in favor of the municipality, which also required reimbursement of the city's out-of-pocket defenses costs coupled with an award of penalty interest.

Appellate Reversal of Order Certifying Class of More Than 16,000 Claimants

Tim Diemer was hired to contest a federal court's order that certified the claims of more than 16,000 current and former prisoners to be tried as a class action against Wayne County. Obtaining a reversal of the class certification decision presented two significant hurdles: (1) interlocutory review is disfavored in the federal system and (2) the order appealed from was reviewed for an abuse of discretion.

Tim overcame both obstacles as the Court of Appeals Granted the Petition for Permission to Appeal and then later Reversed the Order Certifying the Class, without exception and without an opportunity to re-formulate the class on remand.

Additional information regarding Mr Diemer and the judicial decisions referenced above can be found at www.jacobsdiemer.com.