

# Robin M. Wilson

Partner



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## Practices/Industries

- Complex Business Litigation
- Real Estate/ Environmental Litigation
- Public Law
- Employment & Labor Litigation

## Education

Ohio University  
(B.S., Journalism, 1983)  
Cleveland-Marshall College of Law  
(J.D., *cum laude*, 1996)  
The Gavel student newspaper, Co-Editor

## Overview

With 25 years of experience in private and public sector litigation and mediation, Robin is a skilled and accomplished commercial litigator and trial attorney. She is also an experienced appellate practitioner and is on the panel of business mediators for the Cuyahoga County Court of Common Pleas. Over the course of her career, Robin has represented a variety of developers, banks, individuals, partnerships, and corporations in complex commercial litigation, employment litigation, trusts and estates litigation, and real estate litigation, including lender liability defense, commercial foreclosures, receiverships, and commercial lease disputes.

Robin's public law experience includes work as an Assistant Law Director and Chief Trial Counsel for Cuyahoga County and as an Assistant Prosecutor in the Civil Division of the Stark County Prosecuting Attorney's Office. As a government attorney, Robin litigated and managed potential exposure and risk in complex public sector civil matters including class, multi-plaintiff, individual, and mandamus actions involving leasing, development, contracting, construction, federal and state classified and bargaining employment litigation, public records, and land use including eminent domain and utilities relocation.

Prior to her career as a lawyer, Robin worked as a TV news writer, producer, reporter, and anchor.

## Experience

- Successfully petitioned the court for appointment of a receiver over a corporate entity to manage its affairs in connection with a large downtown hotel.
- Obtained defense verdict in jury trial in favor of commercial landlord for breach of lease and other claims brought by tenant restaurant owner, and jury award of \$225,000 in damages for landlord on counterclaim.
- Obtained defense verdict in jury trial in favor of public employer on employee's claim for retaliatory discharge in violation of Title VII and state law discrimination statutes.
- Obtained \$3.3 million jury verdict in a valuation trial for defendant property owner whose property was appropriated by a railroad for an intermodal facility in Bedford, Ohio.
- Obtained summary judgment in favor of public employer on employee's claim brought under the Family and Medical Leave Act.
- Obtained dismissal of claim against public employer on employee's claim brought under the American with Disabilities Act.
- Obtained settlement shortly before trial in favor of developer in breach of option to purchase, promissory estoppel, and fraudulent inducement claims allowing development of hospital project in Lorain, Ohio.
- Obtained summary judgment in favor of defendant lender and servicer on a claim for breach of loan and security agreement pertaining to a \$25 million multiple term loan facility.

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## Experience (Cont)

- Successfully handled many public records and sunshine law mediations and litigations before the Ohio Supreme Court and Court of Claims.
- Successfully defended numerous lenders and servicers against counterclaims arising from the Truth in Lending Act, Real Estate Settlement Procedures Act, Fair Debt Collection Practices Act, Fair Credit Reporting Act, Consumer Sales Practices Act, and other secured lending and liability claims.
- Obtained cognovit judgment on \$5 million construction loan in favor of a commercial lender and foreclosure of mortgage, including assignment of rents for loft apartment property in downtown Cleveland.
- Negotiated settlement of claim by telecommunications company for monies owed for consulting services provided in connection with the Federal Communications Commission E-Rate program, which provides affordable telecommunications services to eligible schools and libraries.
- Obtained \$4 million judgment for lender of construction loan after default by owner/developer and foreclosure of mortgage and assignment of rents for commercial property in Ashtabula County, Ohio.
- Represented county port authority in eminent domain actions to acquire 14 commercial properties for a planned \$400 million mixed-use housing, office, and retail redevelopment project in Cleveland.
- Successfully defended against cognovit judgment and hostile takeover of Georgia-based Auto Auction Enterprise.
- Successfully defended against appeal by property owner of a Board of Zoning Appeals decision to grant a variance to erect a cellular monopole in Youngstown, Ohio.
- Successfully defended a Village of Bratenahl Board of Zoning Appeals' decision to grant property owner a side yard variance for lake views in an appeal by adjoining property owner.

## Reported Cases

- *Figgie v. Figgie*, 173 N.E.3d 122 (8th Dist. 2021) (Estate and trusts).
- *Binder v. Cuyahoga County*, 134 N.E.3d 807 (8th Dist. 2019). Judgment reversed by *Binder v. Cuyahoga County*, 161 Ohio St.3d 395 (2020). (Class action).
- *Wesolowski v. Planning Commission*, 110 N.E.3d 705 2018 WL 1640043 (8th Dist. 2018). (Zoning and planning).
- *Laborers' International Union of North America, Local 860 v. County of Cuyahoga*, 88 N.E.3d 1000 2017 WL 5446120 (10th Dist. 2017). (Employment and labor).
- *Stewart v. Woods Cove II, L.L.C.*, 99 N.E.3d 956 2017 WL 4861579 (8th Dist. 2017). (Taxation).
- *Piazza v. Cuyahoga County*, 98 N.E.3d 1263 2017 WL 4547147 (8th Dist. 2017). (Employment and labor).
- *Laborers' International Union of North America, Local 860 v. County of Cuyahoga*, 35 OPER P 51 (Arbitration Award 2017). (Labor).
- *State ex rel. Miller v. Pinkney*, 149 Ohio St.3d 662 77 N.E.3d 915 (2017). (Government).
- *State ex rel. Ohio Republican Party v. FitzGerald*, 145 Ohio St.3d 92 47 N.E.3d 124 (2015). (Government).

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## Reported Cases (Cont)

- *City of Cleveland v. Ameritrust Mort. Securities, Inc.*, 615 F.3d 496 2010 WL 2901049 (6th Cir. 2010). (Real property).
- *Wells Fargo Bank v. Gilleland*, 621 F.Supp.2d 545 2009 WL 1530156 (N.D. Ohio 2009). (Banking/lending litigation).
- *Smith v. Encore Credit Corp.*, 623 F.Supp.2d 910 2008 WL 5169683 (N.D. Ohio 2008). (Finance and banking).
- *City of Cleveland v. Deutsche Bank Trust Co.*, 571 F.Supp.2d 807 2008 WL 3822939 (N.D. Ohio 2008). (Banking/lending litigation).
- *Thermal Ventures II, L.P. v. Thermal Ventures, Inc.*, 2005-Ohio-3389, WL 1541071 (8th Dist. 2005). (Energy and utilities/arbitration).
- *Quality Solutions, Inc. v. Zupanc*, 993 F.Supp. 621 1997 WL 835481 (N.D. Ohio 1997). (Trademark infringement).

## Publications

- “The Northern District of Ohio Provides More Clarity on COVID-19 Related Business Interruption Claims,” JD Supra (February 2021)
- “Change Needed on Township Variance Law,” Ohio Township News (November 2012)
- “Land Use and Real Estate Litigation Alert: Supreme Court Rules in Florida Zoning Case,” American Bar Association Land Use and Real Estate Litigation Section (June 2010)
- “Land Use and Real Estate Litigation Alert: Supreme Court Refuses to Consider Florida Zoning Case,” American Bar Association Land Use and Real Estate Litigation Section (January 2010)
- “Land Use and Real Estate Litigation Alert – U.S. Supreme Court Considers New Eminent Domain Issue: ‘Judicial Taking’ of Private Beach Property,” American Bar Association Land Use and Real Estate Litigation Section (December 2009)
- “The Controversial and Evolving Issue of Eminent Domain,” Cleveland Metropolitan Bar Journal (November 2008)
- “Eminent Domain Heats Up,” Scrap Magazine (March/April 2006)
- “Negotiating the Minefields of Electronic Discovery,” 10 RICH. J.L. & TECH. 52 (2004)
- “Are Cybersmear Suits Worth the Effort?” NE Ohio Crain Tech (September 2002)
- “Meet the Press,” Cleveland Metropolitan Bar Journal (September 2001)
- “Employees Cyber Behavior Could Get Employer in Trouble—The Alert,” Federal Bar Association (March 1998)

## Presentations

- “Into the Minds and Organizations of General Counsel,” Moderator, Cleveland Metropolitan Bar Association Litigation Section (February 2020)
- “Multi-District Litigation and the Battle Against Opioid Abuse,” Presenter, Ambulatory Surgery Center Association (ASCA) (May 2019)

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## Presentations (Cont)

- “Advanced Legal Issues Affecting Local Governments and Municipalities: The Ultimate Guide,” Presenter, National Business Institute (December 2018)
- “Waking from Dreamland: The Opiate Crisis and Where Ohio Stands in the Fight,” Presenter, Ohio State Bar Association (May 2018)
- “Legal Issues Involving Local Governments, Zoning Concerns,” Presenter, National Business Institute (March 2016)
- “Road and Easement Law from A To Z,” Presenter, National Business Institute (June 2014)
- “E-Discovery: Get Ready to Apply the New Fed. R. Civ. P. Changes – Recent Decisions in E-Discovery that Affect All of Us,” Presenter, National Business Institute (December 2007)
- “Boundary Disputes: Resolving Client Conflicts,” Presenter, National Business Institute (November 2007)
- “Land Use Law: Current Issues in Subdivision, Annexation and Zoning,” Presenter, National Business Institute (October 2007)
- “E-Discovery: Get Ready to Apply the New Fed. R. Civ. P. Changes – Recent Decisions in E-Discovery that Affect All of Us,” Presenter, National Business Institute (December 2006)

## Involvement

### Professional Affiliations

- Cleveland-Marshall College of Law, Cleveland State University (*Board of Visitors*)
- Cleveland Metropolitan Bar Association (*Member, Board of Directors, current; Member, Litigation Council; Member; Board of Directors, 2009-2011; Executive Council, Young Lawyers Section, 1997-2001*)
- Cleveland Bar Foundation (*Fellow*)
- Cleveland-Marshall Law Alumni Association (*President, Board of Trustees; Executive Board; Life Member*)
- William K. Thomas Inn of Court (*Barrister 2016-2019*)
- Cleveland Civic Leadership Institute (*Class of 2011*)
- Ohio Mediation Association
- Cuyahoga County Court of Common Pleas Panel of Business Mediators
- National Association of Women Business Owners (NAWBO)

### Community Involvement

- Ohio Center for Law Related Activities (*Presiding Judge, Mock Trial Competitions*)
- National Institute for Trial Advocacy (*Faculty Member*)
- Western Reserve Academy (*Mock Trial Instructor, 2012-2016*)
- Brecksville Center for the Arts (*Past President/Chair, Board of Trustees*)

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## Honors & Distinctions

- President's Award for Service to the Cleveland-Marshall Law Alumni Association (2021-2022 Term)
- Named to *The Best Lawyers in America*, Litigation – Real Estate; Commercial Litigation (2021; 2022)
- Named to the Ohio Super Lawyers list (2013, 2020-2022)
- Crain's Cleveland Business General and In-House Counsel Awards, Government Division (2015)
- Award for Outstanding Service to the Cleveland Metropolitan Bar Association (2011)
- YWCA Women of Professional Excellence (2008)
- Burton Award for Legal Achievement in Writing (2005)

## Admissions

- State of Ohio
- U.S. Supreme Court
- U.S. Court of Appeals, Sixth Circuit
- U.S. District Court, Northern District of Ohio
- U.S. District Court, Southern District of Ohio