

Sean P. McNally

Partner

Detroit

sean.mcnelly@troutman.com

D 248.359.7317



Sean provides strategic guidance to automotive, mobility, and battery sector clients through litigation, risk management, and regulatory compliance. His experience spans manufacturing, supply chain management, real estate, and commercial and industrial construction. Sean's deep industry knowledge and strong legal acumen help drive comprehensive, client-centered results.

OVERVIEW

Sean centers his national practice on high-exposure supply chain, recall, products liability, construction contract, and real estate litigation matters. He proactively develops risk management and regulatory compliance models to help clients materially reduce their litigation and enforcement exposure.

Sean serves as a strategic business advisor to his clients, leveraging his deep industry knowledge, extensive trial experience, and strong client service acumen to help clients solve their most complex problems and achieve their strategic goals.

Sean also serves as the Detroit office managing partner and is a member of the Firm's Policy Committee.

REPRESENTATIVE MATTERS

Automotive, Mobility, and Supply Chain

- Representing a publicly traded mobility company in all regulatory aspects of the national expansion of its automotive maintenance centers, rental vehicle operations, and warehousing facilities for its bike and scooter business line.
- Representing several clients in international commercial sales transactions for the sale and purchase of personal protection equipment.
- Representing numerous manufacturers and wholesale distributors in supply chain risk management, including development and negotiation of supply contracts, terms and conditions, purchase orders, accommodation structures, and security agreements.
- Defending a motor vehicle manufacturing company in a commercial dispute over the design and installation of its sorting systems in its Gray Court, SC plant, which is the largest transmission production facility in the U.S. Our team successfully transferred the matter to the U.S. District Court for the District of South Carolina, where a motion to dismiss all of the plaintiff's claims is currently pending.

- Defending a client in connection with a complex commercial contract dispute with an automotive wiring harness and harness components manufacturer, which involves: (a) defending a multimillion-dollar contract claim for alleged supply chain disruptions arising out of a global automotive manufacturing relationship; and (b) prosecuting a declaratory judgment action challenging the arbitrability of the manufacturers claims.
- Represented an automotive engineering company in solidifying insurance coverage for itself and a third party indemnitee in connection with a catastrophic personal injury claim arising out of an accident at an automotive testing facility.
- Represented a publicly traded EV OEM in all aspects of legal and regulatory compliance for the national roll-out of its direct-to-consumer sales and direct services models (both brick-and-mortar and mobile service offerings), including prosecution of state dealership licenses, all state and local business licenses, environmental permits, EHS, NHTSA compliance, and state and local legal compliance and tax.
- Defending a Tier 1 supplier in MDL proceedings of a putative consumer class action arising out of the ARC airbag inflator NHTSA investigation.
- Represented a Tier I automotive supplier in the negotiation and documentation of long term supply contracts with 35 of its key Tier 2 suppliers with total transactional volumes in excess of \$2 billion.
- Represented a Tier I supplier in recall and NHTSA issues against the OEM in a defective product claim involving engine fires, which resulted in zero liability to client.
- *In re* Lordstown Motors Corp, *et al.* (Bankr. DE) – currently representing The Official Committee of Unsecured Creditors in a high profile Chapter 11 bankruptcy relating to third party litigation and enforcement proceedings.
- *In re* ARC Inflators Products Liability Litigation (ND GA) – currently representing a Tier I supplier in the MDL proceedings arising out of potential national recall of the ARC Automotive Inc. airbag inflators.

Construction

- Defended an international general contractor in a defect case involving the construction of a spray-on polyurethane foam roof system, which resulted in an extremely favorable settlement without going to trial.
- Represented a drainage district in a construction defect case arising out of a failed sanitary sewage basin, which resulted in a \$2.3 million recovery through a specialized ADR mini-trial process.
- Represented construction lien claimants in a high profile foreclosure/bankruptcy proceedings involving the First National Building, which resulted in a full recovery of all damages and attorney fees.
- Represented a contractor in a summary disposition ruling, which resulted in a judgment of foreclosure on a large subdivision with a full award of attorney fees, and an order declaring priority of the construction liens over the construction lender's mortgage.
- Represented a material supplier on a large industrial project in a construction lien foreclosure with a determination by the trial court of lien validity and full award of attorney fees against the fee owner.
- Represented a Tier II automotive supplier in its site acquisition and construction of a \$200 million plant located in Ohio, which involves a complex design-build delivery system, site access issues, and utility access and service issues.
- Represented the Suburban Collection Showplace in the statewide response to the COVID-19 pandemic and its conversion to an emergency field hospital for the U.S. Army Corps of Engineers and the State of Michigan.

Commercial/Intellectual Property Litigation

- Successfully represented an automotive engineering company in solidifying insurance coverage for itself and a third party indemnitee in connection with a catastrophic personal injury claim arising out of an accident at automotive testing facility.
- *Papas v. Gatzaros* (Wayne Cir Ct.): Tried complex noncompete and tortious interference case that resulted in a full defense victory, including a no cause of action on a \$2.7 million claim and dissolved an injunction that was preventing the defendants from closing a transaction, which represented a \$2.9 million investment.

- Represented a Tier I automotive supplier in a \$2.2 million tooling dispute with a financially troubled Canadian tool maker, which resulted in a negotiated settlement. The supplier obtained possession of the tooling on an emergency basis that prevented major production shutdowns at both Chrysler and Mercedes-Benz.
- *Estate of Trask Simpson v. General Motors, LLC, et al.*: Successfully represented a Tier I supplier and obtained summary dismissal of personal injury claim involving a catastrophic brain injury, which ultimately resulted in death.
- Represented a Tier I supplier in a \$30 million recall with Ford Motor Company involving defective head-lamps, which resulted in a 100% recovery against Tier II supplier, including the reimbursement of all attorney fees.
- Successfully obtained dismissal of a Tier I supplier in a multiparty products liability action involving catastrophic brain injury.
- Represented an electrical material supplier in complex bankruptcy and state court litigation matters relating to a large ethanol company bankruptcy, which resulted in the highest net recovery of any creditor involved in the construction of the ethanol plant.
- *Crypton, Inc. v. Edelman Leather, LLC*, (E.D. Mich.): Achieved successful settlement for a leather manufacturer of trademark infringement and false advertising claims by a chemical manufacturer arising out of terminated licensing/royalty agreement, where the plaintiff's damage demand was in excess of \$37 million.
- Obtained emergency TRO and preliminary injunction for a specialty underground electrical contractor restraining the former executive from disclosing sensitive trade secrets to a primary competitor.
- Obtained emergency preliminary injunction for a HVAC contractor for preventing further unfair and deceptive trade practices.
- *Doctor's Assoc. Inc. v. Dania Service Station, Inc., et al.*, (E.D. Mich.): Obtained preliminary injunction and permanent injunction/judgment for trademark, trade name, and trade dress infringement.
- *Doctor's Assoc. Inc. v. Liquor & Company Market, Inc., et al.*, (E.D. Mich.): Obtained preliminary injunction and permanent injunction/judgment for trademark, trade name, and trade dress infringement.
- *New Jersey Laborers Pension Fund v. TRW et. al.* (Oakland Cir. Ct.): Successfully represented a Tier I automotive supplier in multiple securities class actions for alleged breach of fiduciary duty arising out of a historic merger.

Real Estate

- *In re Skymark Properties II, LLC*, 597 BR 363 (Bankr ED Mich, 2019): Successfully represented a commercial real estate tenant in installing a receiver on an emergency basis over the Metro Office Complex despite the objection of senior lender, which was the first major case in Michigan under the Uniform Commercial Real Estate Receiver Act.
- Represented a real estate fund in the corporate structuring, acquisition and financing of three commercial real retail power shopping centers with transactional value in excess of \$150 million.
- *DDI-1150 Griswold, LLC v. Sky Bar Detroit, Inc.* (Wayne Cir. Ct.): Successfully tried a high value leasehold dispute extinguishing possessory interest in a significant portion of the David Stott Building, which settled on appeal and facilitated a successful disposition of the asset.
- Tried a two-week real estate case involving complex use/easement agreements, which resulted in significant recovery for the plaintiff and a critically important declaration of rights and duties over two large adjacent developments.
- Successfully represented a second position mortgagee in foreclosure/receivership proceedings on the Heritage Tower in Battle Creek, which ultimately resulted in a full recovery of all damages, interest, attorney fees, and expenses.

Appellate

- *Morris Pumps v. Centerline Piping, Inc.*, 273 Mich App 187, 729 NW2d 898 (2006): Obtained a summary disposition result on unjust enrichment, which the Michigan Court of Appeals affirmed in a decision referred to

by *Michigan Lawyers Weekly* as one of the most significant cases of the year.

- *Xiao Yan Zhang v. Eric R. Carson, Trustee, et al.*, unpublished opinion of the California Court of Appeal, Fourth Appellate District, Division Two (Docket E067482/E068413): Successfully overturned a judgment of no cause of action and obtained an award of specific performance and attorney fees, which resulted in client's acquisition of a multimillion-dollar vineyard and ranch in Temecula, CA.
- *Johnson v. Mich. Minority Purchasing Council*, 341 Mich App 1; 988 NW2d 800 (2022): Representing the CEO of the Michigan Minority Supplier Development Council in ongoing litigation over the de-certification of the Piston Group companies as minority business enterprises.
- *Deer Lake Property Owners Association, et al. v. Charter Township of Independence, et al.*: Successfully represented an association involving dispute involving riparian access over a multimillion-dollar lakefront parcel, which resulted in a full victory and validation of legally vested nonconforming use rights and special land use approval.
- *Municipal Supply Co v. Contract Dewatering Services, Inc.*, unpublished opinion per curiam of the Michigan Court of Appeals, decided April 20, 2010 (Docket No. 288271): Obtained summary disposition in favor of material supplier that awarded a judgment in the full amount of the claim, plus all attorney fees, and dismissed purchaser's counterclaim for breach of implied warranty of merchantability, and fit for particular purpose. The Court of Appeals affirmed the judgment, which resulted in the recovery of the appellate attorney fees.
- *McAlpine v. Donald A Bosco Building, Inc.*, unpublished opinion per curiam of the Court of Appeals, decided December 18, 2014 (Docket No. 316323): Achieved lien priority, a full recovery of damages, and an award of attorney fees against Mark A. McAlpine on the construction of his lavish multimillion-dollar home. The court of appeals affirmed the attorney fee award with the Michigan Supreme Court denying leave.

AWARDS

- *Super Lawyers*: Michigan (2019-2023)
- *Best Lawyers in America*®: Litigation – Construction (2019-2026)
- *Best Lawyers in America*®: Litigation – Commercial Litigation (2026)
- *Chambers USA*: Litigation: General Commercial, Michigan (2024-2025)
- Named Most Valuable Professional in *Corp! Magazine* (2016)
- Named one of Detroit's top lawyers by *DBusiness Magazine*
- *Legal 500 United States* for Construction (2017)
- Rated AV Preeminent by *Martindale-Hubbell*®

TOP AREAS OF FOCUS

- Automotive
- Business Litigation
- Construction Litigation
- Electric Vehicle Technology + Sustainable Infrastructure
- Real Estate Litigation

ALL AREAS OF FOCUS

- Automotive
- Business Litigation
- Construction Litigation
- Electric Vehicle Technology + Sustainable Infrastructure
- Real Estate Litigation

- Tariff + Trade Task Force

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Motor & Equipment Manufacturers Association
- Michigan Manufacturers Association
- Detroit Regional Chamber
- Fellow of the Construction Lawyers Society of America
- International Council of Shopping Centers
- Member, Board of Trustees of the Franny Strong Foundation
- Federal Bar Association
- Oakland County Bar Association
- Fellow of the Oakland County Bar Foundation

EDUCATION AND CERTIFICATIONS

EDUCATION

- Michigan State University College of Law, J.D., *cum laude*, 2003
- James Madison College at Michigan State University, B.A., 2000, political theory and constitutional democracy

BAR ADMISSIONS

- Michigan

COURT ADMISSIONS

- U.S. Court of Appeals, Sixth Circuit
- U.S. District Court, Eastern District of Michigan
- U.S. District Court, Western District of Michigan
- U.S. District Court, Northern District of Illinois
- U.S. District Court, District of Maryland
- U.S. District Court, District of South Carolina
- U.S. District Court, District of New Jersey
- U.S. District Court, Northern District of Georgia
- U.S. Bankruptcy Court, District of Wyoming
- U.S. Bankruptcy Court, Southern District of New York
- U.S. Bankruptcy Court, District of Delaware

PUBLICATIONS

- Co-author, "Temporary Reduction of Reciprocal Tariffs on Chinese Goods Following US-China Trade Truce," *Troutman Pepper Locke*, May 14, 2025.
- Co-author, "US Assembly Offset for Section 232 Auto Tariffs and Tariff Stacking Guidance Introduced," *Troutman Pepper Locke*, April 30, 2025.
- Co-author, "White House Releases List of Products Excluded From Reciprocal Tariffs," *Troutman Pepper*

Locke, April 14, 2025.

- Co-author, "[US Modifies Reciprocal Tariff Rates](#)," *Troutman Pepper Locke*, April 11, 2025.
- Co-author, "[New Steel and Aluminum Tariffs in Effect](#)," *Troutman Pepper Locke*, April 10, 2025.
- Co-author, "[New Section 232 Tariffs on Automobiles and Automotive Parts](#)," *Troutman Pepper Locke*, April 8, 2025.
- Co-author, "[Unpacking the New Reciprocal Tariffs Reshaping US Trade Policies](#)," *Troutman Pepper Locke*, April 7, 2025.
- Co-author, "[Exclusions From the Tariffs on Canadian and Mexican Goods Under HTS Chapters 98 and 99](#)," *Troutman Pepper Locke*, March 14, 2025.

MEDIA COMMENTARY

- Mentioned, "[Troutman Pepper Launches Tariff Task Force](#)," *Law360*, February 20, 2025.