



Robert E. McFarland

Shareholder

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Bob received B.A. and J.D. degrees from the University of Michigan. After serving as law clerk to the Chief Judge of the Michigan Court of Appeals, he entered private practice in 1972, with a concentration in transportation law. He joined Foster Swift in 1992.

Bob is admitted to the State Bars of Michigan and New Mexico, as well as to numerous federal courts. He has represented motor carriers in numerous reported cases of state and national significance. Bob is a long-time member (since 1975) of the Transportation Lawyers Association ("TLA") and the Canadian Transport Lawyers Association. After having served as an officer for several years, he was President of TLA in 2002-2003, and the recipient of both its Distinguished Service Award in 1997 and Lifetime Achievement Award in 2007.

Bob has been a lecturer in law at the University of Denver Sturm College of Law in its Business Transportation Law Course since 2005. Bob has written and spoken frequently on a variety of transportation law topics. In addition to transportation regulatory issues, Bob also handles a range of commercial litigation matters including employment litigation.

REPRESENTATIVE MATTERS

- *Ruffin v. Mercury Record Productions, Inc.*
513 F.2d 222 (6th Cir. 1975)
- *O-J Transport Co. v. United States.*
536 F.2d 126 (6th Cir. 1976)
- *Hempton v. Hempton.*
122 Mich. App. 4, 329 N.W.2d 914 (1982)
- *Universal Am-Can v. Attorney General.*
197 Mich. App. 34, 494 N.W.2d 787 (1992)

PRACTICE AREAS

Transportation Law
Commercial Litigation
Employment Law
Employment Litigation
Labor Relations
Employment, Labor & Benefits

EDUCATION

University of Michigan Law School,
J.D., 1971
University of Michigan, B.A., 1968

BAR AND COURT ADMISSIONS

Michigan
New Mexico
U.S. District Court for the Western
District of Michigan
U.S. District Court for the Eastern
District of Michigan
U.S. District Court for the District of
Columbia
U.S. Sixth Circuit Court of Appeals
U.S. Tenth Circuit Court of Appeals
U.S. Court of Appeals for the District
of Columbia Circuit
U.S. Supreme Court

CLERKSHIP(s)

Law clerk to Chief Judge T. John
Lesinki, Michigan Court of Appeals,
1971-1972



- *Kelley v. United States*.
69 F.3d 1503 (10th Cir. 1995)
- *In re Federal Preemption of Provisions of the Motor Carrier Act*
232 Mich. App. 288, 566 N.W.2d 599 (1997)
- *Central Cartage Co. v. Fewless*.
232 Mich. App. 517, 591 N.W.2d 422 (1998)
- *Ammex, Inc. v. Dept. of Treasury*.
237 Mich. App. 455, 603 N.W.2d 422 (1998)
- *Westlake Transportation, Inc. v. Michigan Public Service Commission*.
255 Mich App 589, 662 N.W.2d (2003)
- *aff'd sub nom., American Trucking Associations, Inc. v. Michigan Public Service Commission*.
545 U.S. 429 (2005)
- *Mid-Con Freight Systems, Inc. v. Michigan Public Service Commission*.
545 U.S. 440 (2005)
- *Tkach v. Stonepath Logistics Services*.
2005 WL 1050280 (E.D. Mich.)
- *Straney v. General Motors Corp.*
2008 WL 162554 (E.D. Mich.)
- *Behnke, Inc. v. State*.
278 Mich. App. 114, 748 N.W. 2d 253 (2008)
- *Eid v. Saint-Gobain Abrasives, Inc.*,
Case No. 2:06-cv-12392 (E.D. Mich.) (Jury verdict of no cause of action inf favor of Saint-Gobain Abrasives, Inc., 2008)

PUBLICATIONS

Michigan Trailer Plate Update, *Foster Swift Transpost*, June 2009

MEMBERSHIPS & AFFILIATIONS

Legal Affiliations:

- State Bar of Michigan
- American Bar Association
- State Bar of New Mexico
- Transportation Lawyers Association, Past President and Officer
- Canadian Transport Lawyers' Association, Past Non-resident Director
- University of Denver Sturm College of Law,

HONORS & RECOGNITIONS

AV® Preeminent™

Martindale-Hubbell

Lifetime Achievement Award,
Transportation Lawyers Association
(2007)

Distinguished Service Award,
Transportation Lawyers Association
(1997)

Boss of the Year, Oakland County
Legal Secretaries Association
(1993-1994)



- Visiting Lecturer (2005-2008)
- Visiting Faculty Coordinator, Transportation Law Course

Industry & Professional Associations:

- Michigan Truck Safety Commission, Commissioner (2004-2009)
 - Michigan Public Service Commission Motor Carrier, Past Member of Advisory Board (1994-1988)
 - Transportation Consumer Protection Council
 - University of Michigan, Past Member of Board on Control of Intercollegiate Athletics (1966-1968)
 - Society for Human Resource Management
 - American Society of Employers
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