



**Mitchell A. Capp**

**Associate**

**Detroit**

**P: 248.220.1338**



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**Practice Focus**

- Branding strategies and trademarks
- Business counseling
- Business litigation
- Choice of entity
- Copyrights
- Construction litigation
- Intellectual property litigation and dispute resolution
- Litigation finance
- Real estate litigation
- Startup and venture capital
- Trade secret, non-compete and unfair competition

Mitchell Capp is an associate in McDonald Hopkins' Litigation Department. Mitch's practice focuses on business litigation and counseling issues in a broad range of contexts, including start-up and entity planning, contractual counseling and disputes, general and professional liability, construction liability, labor and employment, corporate governance, intellectual property, and risk transfer.

Mitch also serves as general counsel to a long standing Detroit-based stone company in which he supervises corporate governance, compliance, and business policies, and directly advises the board of directors and corporate officers on all legal matters.

Mitch earned his J.D., *Cum Laude*, from the University of Illinois at Chicago's John Marshall Law School, where he finished in the top 15 percent of his class and served on the Executive Board, as production editor of The John Marshall Law Review. He was also a member of the Moot Court Honors Council and a part of the Intellectual Property Training Program in Beijing and Shanghai, China in 2015. Mitch interned with the Circuit Court of Cook County, the U.S. District Court for the Northern District of Illinois, and the U.S. Attorney's Office for the Northern District of Illinois.

Mitch earned his B.A. in Criminal Justice from Michigan State University. In addition, Mitch has obtained program certificates in Entrepreneurship and Negotiation Mastery from Harvard Business School.

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**Representative Cases/Matters**

- Drafted successful motion for summary judgment in defense of legal malpractice matter

## Mitchell A Capp

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- Successfully voided and vacated, through motion practice and oral argument at multiple bench trials, a default plenary order of protection against business client on the bases of lacking jurisdiction and improper service of process
- Acted as outside general counsel for Fortune 50 Company with its Chicago business operations, including defense of 15 municipal code citations carrying exposure in excess of \$100,000. Settled for \$4,000
- Advised national utility and construction company throughout transition process from C-Corporation to LLC
- Obtained outright dismissals of multiple municipal code violations on behalf of national utility contractor against the City of Chicago, Department of Transportation
- Obtained directed verdict and costs for the defense in insurance fraud / bad faith counterclaim jury trial

### Admissions - Court

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- U.S. District Court for the Central District of Illinois
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the Northern District of Indiana
- U.S. District Court for the Southern District of Indiana
- U.S. District Court for the Eastern District of Michigan

### Admissions - State

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- Michigan
- Illinois
- Indiana

### Education

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- The John Marshall Law School
- Michigan State University

### Professional Membership

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- Detroit Bar Association

### News

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- McDonald Hopkins LLC welcomes Mitchell Capp to Litigation Department in firm's Detroit office

### External Publications

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- "The Technology Revolution in the Construction Industry: The Rise of Artificial Intelligence," Monograph, IDC Quarterly, Vol. 29, No. 4 (2019).
- "Contractor Freedom: Restatement 414 Requires Control Over Means and Ends," Construction Law Cases, IDC Survey of Law (2019).

- "The Wolf of Law Street: The Litigation Finance Industry and the Ethics of Investing in Justice." *IDC Quarterly*, Vol 28, No. 3 (2018).