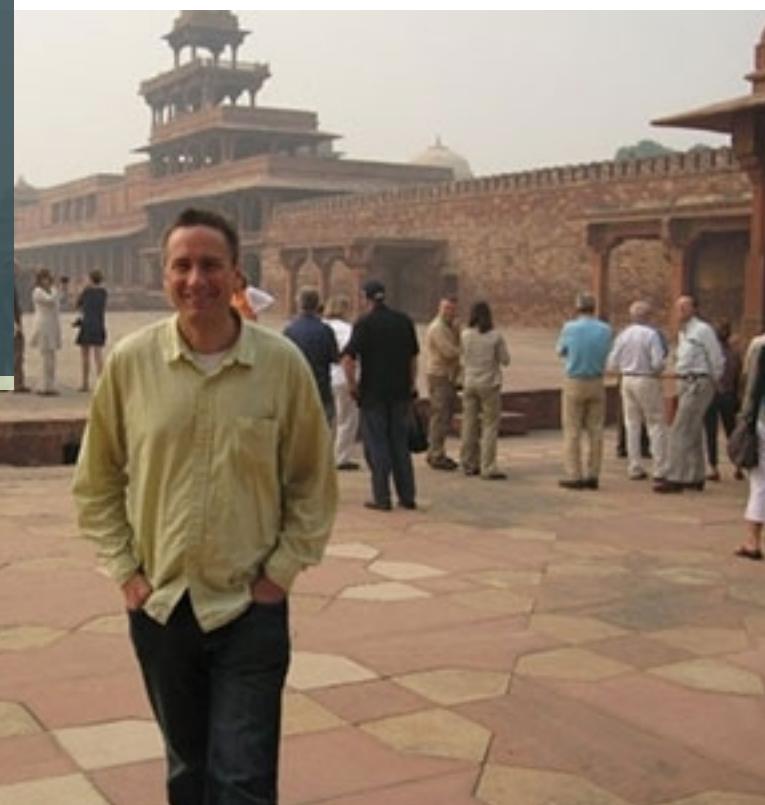


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Global reach: Area attorney specializes in international litigation



A Birmingham resident, Fred Acomb grew up in California, earning his law degree from the University of California Hastings College of Law. His work has taken him around the globe, including to India.

By Sheila Pursglove

Legal News

For more than 20 years, attorney Fred Acomb has prosecuted and defended international arbitration and litigation matters around the globe.

“This area of the law is a great one for going places — literally,” says Acomb, a principal at Miller Canfield in Detroit and chair of the International Dispute Resolution Section. “I enjoy working with and against lawyers with legal and cultural traditions very different from my own. It keeps things fun, and the learning never stops.”

The fun and learning also provides a slew of anecdotes: such as when Acomb flew to Kuwait City and cross-examined for eight hours a member of the ruling Al Sabah royal family, who was the former president of OPEC, a president of OAPEC, finance minister of Kuwait, oil minister of Kuwait, and CEO of the Kuwait National Petroleum Co. “People called him. ‘Your Excellency,’ and there I was cross-examining him,” Acomb says.

In Istanbul, he endured a hair-raising taxi ride where the driver missed his freeway exit, and sped backwards for nearly a mile, swerving wildly to avoid the oncoming traffic. And in Shanghai, alone in a restaurant, Acomb tried to order from a menu that had no English or pictures. “I didn’t speak Mandarin, they didn’t speak English, and lord knows what I ate that day. I still don’t know,” he says.

His command of German also leaves something to be desired. When giving a speech in Baden-Baden, and taking off his jacket in a warm room, he used a local colloquialism to explain why he was disrobing. As soon as the words left his lips his audience erupted into laughter.

“As I stood there red-faced and confused, my host finally had mercy and whispered in my ear that I’d just confessed to something of a highly intimate nature,” he explains. “Since then I’ve stuck to English.”

Funny stories notwithstanding, Acomb proudly touts Miller Canfield’s International Dispute Resolution Section as the finest in the region.

“But our aspirations are higher — our aim is to be known globally as one of the finest international arbitration boutiques in the world, and we’re well on our way,” he says.

The IDR Section includes Professor Charles H Brower II, whom Acomb notes has a distinguished international reputation in the field, and a keen sense of strategy and nuance in presenting international disputes. The team also includes Professor Troy Harris who, after years of practicing as an international construction arbitration specialist at King and Spalding in Atlanta, co-authored the seminal book on the field. The section also includes Larry Saylor, Paul Hudson, and Jamie Woolard, lawyers whom Acomb describes as “among the best I’ve ever known anywhere. Our section includes extraordinary lawyers who have defended and prosecuted international arbitrations before arbitration tribunals around the world,” Acomb says.

Routinely representing companies from outside the United States, most commonly from Canada, Mexico, Germany, China, Finland, Sweden, France, the United Kingdom, Japan, and Poland, his own cases include successfully prosecuting and defending competing claims for ownership rights in the largest reserve of brown coal in the world, located in New South Wales, Australia; and oil, gas, coal bed methane, and coal mine methane reserves in the United States. The amounts at issue exceeded \$300 million (U.S.). The adverse parties were energy companies in Australia and Canada, and Acomb’s client was an energy company in the United States.

In another challenging case, after a full hearing in London before the ICC International Court of Arbitration, Acomb defeated a bet-the-company-division intellectual property claim brought by a Swiss corporation headquartered in the Isle of Jersey, U.K., against a U.S.-based engine manufacturer.

He is currently defending an Asian corporation in what is alleged to be a multimillion-dollar international agency claim. The matter is pending with the Singapore International Arbitration Centre.

Acomb has successfully defended more than 70 international sales agency disputes on behalf of manufacturers headquartered in Germany, France, Italy, Sweden, Canada, China, Mexico, and the United States. He started in this specialty when he was a new lawyer, and filed a motion with the U.S. District Court for the Eastern District of Michigan asserting that a recently enacted sales commission statute — MCL 600.2961 — violated the State Constitution. Judge George Woods granted the motion.

“The Sixth Circuit later reversed the ruling, and the reversal was well-publicized,” Acomb says. “Although I was the losing lawyer on appeal, they spelled my name right and you know what they say about that.”

A graduate of the University of California Hastings College of Law, Acomb helps today’s law students by serving on the External Advisory Committee for Wayne Law’s Program for International Legal Studies.

“Program Director Professor Greg Fox has done an extraordinary job at elevating the Program to some prominence,” he says. “One-third of Wayne Law’s tenured and tenure-track faculty teach and write on international subjects and enjoy worldwide reputations as innovative and prolific scholars, publishing on the most important issues of the day.”

As a kid who came from the “wrong side of the tracks” in Fresno, Calif., Acomb is a big proponent of pro bono work.

“Like everyone else in the neighborhood, my family could have used a good lawyer from time to time — the poor are vulnerable in ways the wealthy will never fully comprehend,” he says. “Good lawyers level the playing field like little else. Pro bono work gives me an opportunity to make a real difference in the lives of people who need legal help just to survive. A fight over a couple hundred dollars can make the difference between food and shelter versus not.”

Acomb and his wife, Mandy Fishburn — a copywriter supervisor at Lowe Campbell Ewald — make their home in Birmingham, where he unwinds from work by learning to play guitar, practicing nearly every night. The couple has five children, ranging in age from 3 to 24.

Acomb’s service to the community includes serving on the Detroit Central City Community Mental Health Advisory Board.

“I have a sister who suffers from bipolar disorder. Were it not for the extraordinary kindness of the professionals at a community mental health organization very much like Detroit Central City Community Mental Health, she probably wouldn’t be with us today,” he says. “Contributing to Detroit Central City is the least I can do. Advocating for good mental health care is the least I can do. I have my sister, and I’m so thankful for that.”

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