



**MARK I. WALLACH**

Partner

Direct: 216.928.2939 Fax: 216.916.2376

[mwallach@walterhav.com](mailto:mwallach@walterhav.com)

## SERVICES



Appellate Services  
Commercial Litigation Services  
Education Litigation Services  
Health Care & Dental  
Litigation  
Ohio Public Records Act, Open Meetings Act & Sunshine Laws  
Real Estate Litigation Services

## EDUCATION

Harvard Law School, J.D.  
*Cum laude*  
Wesleyan University, B.A.  
*Magna cum laude*  
*Phi Beta Kappa*



## LICENSED TO PRACTICE



Ohio  
U.S. District Courts for Northern and Southern Districts of Ohio  
U.S. District Courts for Eastern and Western Districts of Michigan  
U.S. Courts of Appeals for the Federal, Sixth and Eighth Circuits  
U.S. Supreme Court

## OVERVIEW

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Mark is a litigation partner with Walter Haverfield in Cleveland, Ohio. He litigates and tries complex business disputes, concentrating on corporate, business tort, real estate and public law litigation. His in-depth focus includes consultant and accountant liability litigation, contract disputes, alternative dispute resolution, Uniform Commercial Code issues, trade secrets and non-competition covenants. Mark also works with clients to resolve land use, zoning and other issues involving local and state governments. He has particular expertise in alternative dispute resolution, including acting as a neutral in appropriate cases.

Mark also has extensive business litigation and appellate experience, with two dozen appearances in the Ohio Supreme Court, and many more at the federal and state appellate courts. A number of those cases have involved important issues in municipal and state law.

## EXPERIENCE

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Mark regularly appears in state and federal courts in Ohio (including more than 20 appearances in front of the Ohio Supreme Court) and throughout the country on behalf of both plaintiffs and defendants. His recent experience includes the following:

- Winning a declaratory judgment for a large public agency—after a three-week trial—validating its power to institute a major new program
- Winning one of the largest business-case jury verdicts in Ohio in a lawsuit for fraud by a developer in relocating a major tenant to an unsuitable site
- Obtaining a multimillion-dollar settlement for an industrial corporation damaged by the failure of a new enterprise computer system to perform as promised
- Recovering more than \$30 million for the liquidation estate of a large Ohio insurance company, including \$10 million from the company's auditors, nearly \$9 million from its corporate attorneys, and more than \$4 million from former officers and directors
- Winning the first case in the Ohio Supreme Court establishing the right of Ohio municipalities to charge impact fees to developers to pay for infrastructure necessitated by new development.
- Establishing, by an Ohio Supreme Court ruling, the proper statute of limitations for claims brought against utilities by customers
- Settling a claim by a large public university for millions of dollars, paid by the supplier of faulty computer software to the university
- Negotiating multimillion-dollar settlements from the former auditors and from former officers and directors of a defunct surety bond company outside of Ohio

## PRESENTATIONS

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- “Local Government Litigation Update,” Northeast Ohio Law Director’s Association/Cleveland Metropolitan Bar Association, 2020
- “Kent State Shootings, May 4, 1970, The Day the War Came Home and It’s Legal Aftermath,” Cleveland-Marshall Law Alumni Association, 2019
- “Arbitration: Best Practices for Using Your Trial Tools in a Different Setting,” Cleveland Metropolitan Bar Association, 2018

## **ASSOCIATIONS**

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- Executive Committee Member, American Constitution Society Cleveland Chapter
- Board Member, Western Reserve Chorale
- Member, Cleveland Metropolitan Bar Association
- Member, Federal Bar Association
- Member, Northeast Ohio Law Directors Association
- Member, Legal Aid Society of Cleveland Pro Bono Committee