



Alan J. Irvin, Shareholder

Attorney & Registered Civil Mediator

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Alan J. Irvin concentrates his practice in commercial and business litigation, general business and real estate. Mr. Irvin has handled a wide variety of litigation matters in his career, and also represents and counsels start-up companies, and small businesses, with respect to business formation, acquisitions and sales, real estate development, transfers and financing, and other matters typically confronting the business owner. He frequently serves as local counsel in cases pending in state courts throughout Indiana and in the local federal courts.

Mr. Irvin typically handles complex and novel business litigation matters and contract disputes, commercial collection matters, plaintiff's personal injury litigation, and real estate litigation. Mr. Irvin has experience litigating estate, trust and inheritance disputes, non-compete and trade secret cases, and tax controversies, in addition to litigation of matters involving franchise law, ERISA, consumer protection law, employment, products liability, professional liability, construction disputes, insurance coverage, and creditor's rights/bankruptcy issues.

In recent years, Mr. Irvin's litigation practice has often involved representation of closely-held companies and their owners in derivative and direct action litigation involving claims for breach of fiduciary duty and other business torts. Mr. Irvin has significant experience in litigation between members of limited liability companies (LLCs) and issues related thereto. He has been an author and speaker on the subject. See *A Comparison of Duties Owed Among Owners of Indiana Businesses Entities*, Indiana Continuing Legal Education Forum (2003).

Mr. Irvin has also been lead counsel on several appeals in the appellate courts of Indiana. Mr. Irvin successfully argued a case of first impression before the Indiana Supreme Court on ERISA preemption of state law claims for breach of contract and punitive damages against an ERISA plan. He obtained a reversal of a judgment in favor of a municipality in a suit over compliance with Indiana's Open Door Law. Mr. Irvin more recently presented oral argument and won an appeal on behalf of a not-for-profit in a case that clarified Indiana law regarding the standing of members of the public to maintain litigation against public charitable trusts.

In 2011, Mr. Irvin qualified as a Registered Civil Mediator available to mediate cases throughout Indiana. He places particular emphasis on mediation of small business and contract disputes, including pre-suit mediation.

Mr. Irvin's business and transactional practice has involved and continues to include representation of both buyers and sellers in asset/stock sale and purchase transactions, business formations, contract drafting and negotiation, and general business counseling. He has been involved in several commercial real estate acquisitions and financing transactions, and has assisted clients with real estate development and zoning matters. Mr. Irvin has served as counsel for two major title insurance underwriters with respect to both transactional and real estate litigation matters.

Mr. Irvin clerked for the Honorable Edward W. Najam, Jr. of the Indiana Court of Appeals prior to entering private practice. During law school, he served as Production Editor for the Adelpia Law Journal at Indiana University School of Law - Bloomington. Mr. Irvin was also a member of the moot court team that won the Team Championship, and received Best Brief honors, at the 1991 Chicago Bar Association Moot Court Competition.