

ON THE STAND

After years of specializing in medical-malpractice and personal injury, Troy W. Haney made ERISA (Employment Retirement Insurance Security Act of 1974) matters his dominant practice sector three years ago.

And he'll admit it's a lonely one.

"There aren't that many lawyers who do it," said the solo practitioner, who works out of a historic Craftsman-style home just east of downtown Grand Rapids.

"And there aren't many lawyers who want to do it, because of all the regulatory, statutory and case law hurdles you have to get over to successfully pursue a case. There's a much higher burden of proof."

But it can make a difference where it counts.

For example, last November, Haney represented the plaintiff in *Glover v. Nationwide, et al.* in U.S. District Court for the Western District of Michigan.

The case addressed many of the issues brought up in *Dunn v. DAIIE*, a 2002 Michigan Court of Appeals ruling regarding the coordination of ERISA plans and no-fault insurance carriers, which auto insurance attorneys had deemed a high hurdle to overcome when seeking reimbursement for clients.

However, because the matter took place in federal court, the judge followed the highest decision in Michigan, 1988's *Sibley v. DAIIE*, which predated *Dunn*. There, the Michigan Supreme Court said that when a federally regulated plan like ERISA does obtain subrogation from the insured, the insured's no-fault provider must indemnify the insured.

As a result, *Glover* is "a toolkit for auto insurance lawyers" in getting around *Dunn*.

And for Haney, it reaffirmed that ERISA "is the only area where I feel like I'm filling a void in the legal community."

Are there any quotes you tend to spout out regularly?

One is "To whom much is given, much is expected," which is a loose biblical reference. It's something I tell my children a lot. And there's something Henry Ford said: "Whether you believe you can or whether you believe you can't, either way you're right."

What instrument of technology do you wish never was invented?

The microwave. It's a gateway to consuming processed food. Without it, people would be eating a lot healthier.

What TV channels do you most often have on?

MSNBC and ESPN.

What do you do to cut loose?

My family and I wakeboard a lot. We live on Lake Bella Vista in Rockford, so we do it all the time. And I snow ski every chance I get.

Have you ever been mistaken for someone famous?

I once had somebody ask if I was Ray Liotta.



Troy W. Haney

The Haney Law Office, Grand Rapids

Education: University of Detroit Mercy School of Law

Specialties: ERISA, health care and pension plan litigation, long-term disability insurance, personal injury, complex civil litigation

What are three items you'd want if you were stranded on a desert island?

I can only think of two: a hovercraft and a case of Turnbull wine.

If you could switch bodies with your spouse for the day, like on how mom and daughter do in "Freaky Friday," what would you do?

I'd go to her book club and say, "I've never complained about my husband, have I?" Just to see what they'd say.

— DOUGLAS J. LEVY



Troy W. Haney and his family get in some wakeboarding.