



McDaniel M. Kelly

senior associate

Mac Kelly helps companies and individuals find practical solutions to the challenging issues facing them. In some cases, this could mean negotiating a business-resolution that achieves his clients' goals without prolonged litigation, while also enabling both sides to continue with their business relationship at the end of the dispute. In other cases, Mac represents his clients in state court, federal court, or in arbitration. In either situation, clients rely on Mac's judgment, creativity, and experience to navigate their difficult and complex matters to achieve an optimal outcome.

Mac has worked with a wide variety of clients, with a focus on the financial services industry, manufacturing/supply/procurement, and cybersecurity. He takes an integrated, team-centered approach that leverages Porter Wright's deep bench to apply the right solution to meet his clients' needs in a full-service capacity. As a commercial litigator, Mac has worked on a wide variety of matters, including matters relating to:

- breach of commercial agreements, including commercial lease agreements, asset purchase agreements, and supply agreements;
- enforcement of payment obligations and execution upon collateral following default on commercial loans;
- recovery of funds lost due to a cybersecurity breach in the course of a financial transaction;
- counseling commercial lenders on improving enforceability of default terms in agreements;
- representation of trustees and investment managers in claims alleging breach of the trust or investment agreement, negligence, and breach of fiduciary duty;
- disputes arising out of corporate transactions and real estate due diligence;
- representation of corporate officers and directors involving claims of breach of good faith and breach of fiduciary duty;
- allegations of notarial negligence in the certification of financial instruments;
- disputes arising out of software licensing agreements;

CONTACT

mkelly@porterwright.com
216.443.2538
www.porterwright.com

950 Main Avenue
Suite 500
Cleveland, OH 44113

EDUCATION

Case Western Reserve University
School of Law, J.D., *magna cum laude*, 2016

Denison University, B.A., 2011

SERVICES

Litigation

- Appellate and Supreme Court practice
- Commercial litigation
- Financial services litigation
- Insurance litigation
- Probate, trust and guardianship litigation
- Transportation and logistics

Business Competition, Advice & Litigation

Privacy & Data Security

- Litigation

Real Estate

- Real estate litigation
- Foreclosures, receiverships and workouts

- theft of trade secrets, breaches of non-competition and non-solicitation covenants, and unfair business competition practices; and
- representation of companies in matters involving personal injury and premises liability claims.

Prior to joining Porter Wright, Mac worked for the federal courts at both the appellate and trial levels. Mac began his federal courts career with a two-year appointment as a Staff Attorney for the U.S. Court of Appeals, Eleventh Circuit in Atlanta, Georgia. Following his service at the Eleventh Circuit, Mac returned to Cleveland, Ohio, as a Law Clerk to U.S. Magistrate Judge Thomas M. Parker in the Northern District of Ohio. As a law student, Mac also served as an extern to U.S. District Judge Christopher A. Boyko in the Northern District of Ohio.

Mac also serves as a member of Porter Wright's Associate Engagement Committee.

BAR ADMISSIONS

- Ohio
- New York
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Sixth Circuit
- U.S. District Court for the Northern District of Ohio
- U.S. District Court for the Southern District of Ohio

PUBLICATIONS

- "Survey of federal class action law: A U.S. Supreme Court and circuit-by-circuit analysis," American Bar Association, 2022-2023
- "Rehabilitation through empowerment: Adopting the consumer-participation model for treatment planning in mental health courts," 66 Case Western Reserve University Law Review 581-607, 2015

PROFESSIONAL ASSOCIATIONS

- William K. Thomas Inn of Court
- Federal Bar Association
- The Federalist Society

HONORS | AWARDS

- *Best Lawyers: Ones to Watch in America*®
- Order of the Coif
- Sidney H. Moss Award for Evidence Scholarship
- Harry A. and Sarah Blachman Award for Government Improvement Scholarship
- CALI Excellence for the Future Awards® in Legal Writing, Evidence, Health Law, Financial Institutions Regulation and E-Payment Systems

COMMUNITY

- Cleveland Bridge Builders, Class of 2024
- Cleveland Metropolitan Bar Association, 3Rs Program Teacher
- Cuyahoga County Landlords Association
- National Eagle Scout Association

SERVICES (CONTINUED)

Construction

Tax, Estate Planning & Personal Wealth

- Probate, trust and guardianship litigation

Intellectual Property

- Enforcement, disputes and litigation