



## Marlon Primes

**Co-Chair, Business and Tort Litigation Group**



Marlon A. Primes is a Member in BMD's Cleveland Office. A distinguished former Assistant U.S. Attorney for the Northern District of Ohio with 30 years of experience, Mr. Primes has transitioned to serve as a Co-Chair of BMD's Business and Tort Litigation Practice and represents companies across the U.S. in high-stakes litigation.

Mr. Primes has handled a wide variety of complex civil litigation in state, federal and appellate courts, including jury trials and appellate actions. He has received the highest awards for his legal work and acumen. In addition to his legal acumen, Mr. Primes is recognized for his civic and community accomplishments.

### Contact Information

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### Education

**Georgetown Law**, J.D.

**Ohio University**, B.S., Science in Journalism

### Overview

Mr. Primes is the Past President of the Cleveland Metropolitan Bar Association ("CMBA"), which is one of the largest associations of lawyers and judges in Ohio. He was the first government attorney and first African-American attorney to serve as president of the CMBA. Mr. Primes also served as the Chairman of the Litigation Section of the Ohio State Bar Association and served as national Vice President of the National Bar Association, which is the oldest and largest association of African-American lawyers and judges in the United States. He is a frequent speaker on legal matter for various organizations and conferences. His National Business Institute and Ohio Human Resource Law Boot Camp presentations have been highly rated.

Mr. Primes was born and raised in Akron, and he currently resides in Cleveland Heights with his wife Kathi Howard-Primes. They are the proud parents of two adult children, Markus and Kayla Primes, who both live and work in Washington, D.C.

### Representative Matters

#### *Internet Defamation*

- Successfully defended a company in an internet defamation case by negotiating a non-monetary resolution.

### *Medical/Dental Malpractice*

- Represented large medical providers in dental and medical malpractice cases.

### *Full-Service Legal Representation of a Fortune 300 Company*

- Represented a Fortune 300 company regarding all aspects of their legal needs, including matters involving employment law, commercial law, occupational health and safety, and tort litigation.

### *Employment Litigation*

- Although nearly all of Mr. Primes' employment litigation is on behalf of employers, he also successfully represented a plaintiff who was subject to egregious racial slurs and disparate treatment. In that case, Mr. Primes helped negotiate a landmark monetary settlement.

### *Corporate Investigations*

- Handled a complex and sensitive internal investigation for a large business.

### *Securities Litigation*

- Represented a large corporation in federal court in a class action regarding securities litigation.

### *Evictions*

- Successfully handled complex evictions for private sector and public sector landlords.

### *Education*

- Successfully resolved Title IX lawsuits involving large school districts.
- Successfully negotiated employment contracts regarding metropolitan and suburban school districts.

## Courts

- U.S. Supreme Court
- U.S. Court of Appeals for the Sixth Circuit
- U.S. District Courts for the Northern and Southern Districts of Ohio
- District of Columbia
- All Ohio State Courts

## Professional & Civic Affiliations and Awards

- Member, The National Black Lawyers Top 100 (2023-Present)
- Chairman, National Bar Association Elections Committee (2022-Present)
- Recipient, National Bar Association President's Award (2022)
- Co-Chair, Partnership for a Safer Cleveland (2022-Present)
- Member, Ohio University Black Alumni Presidential Advisory Council (2022-present)
- Panelist, Cleveland Metropolitan Bar Association's Litigation Institute, Anatomy of a Jury Trial from Criminal and Civil Perspectives (June 14, 2022)
- Chairman, International Relations Advisory Committee, National Bar Association (2022-present)
- [Crain's Cleveland "People on the Move" \(February 28, 2022\)](#)
- Fellow, American Bar Foundation (2020-present)
- Member, American Law Institute (October 2019-present)
- Board of Trustees, Partnership for a Safer Cleveland (2018-present)

- President, Cleveland Metropolitan Bar Association (2018-19)
  - President-Elect, Cleveland Metropolitan Bar Association (2017-18)
  - Vice President, Cleveland Metropolitan Bar Association (2016-17)
  - Board of Trustees of the Cleveland Metropolitan Bar Association (2012-20)
  - Recipient, Cleveland Metropolitan Bar Association Volunteer of the Year Award, 2012
  - Chair, Litigation Section of Cleveland Metropolitan Bar Association (2008-09)
  - Board of Trustees, Cleveland Metropolitan Bar Foundation, (2005-10)
- Fellow, Ohio State Bar Foundation (2015-present)
- Chairman, Litigation Section, Ohio State Bar Association (2013-15)
  - Secretary, Litigation Section of Ohio State Bar Association (2011-13)
  - Council of Delegates, Ohio State Bar Association (2009 - present)
- National Vice President, National Bar Association (2002-08)
- President, William K. Thomas Inn of Court, Cleveland, Ohio (2015-16)
- Master of the Bench, William K. Thomas Inn of Court, Cleveland, Ohio, (2004 - present)
- Employee of the Month, U.S. Attorney's Office, N.D. Ohio, May 2013, and June 2011
- Recipient, U.S. Attorney's Office Craig Tame Award for Community Service
  - ("Marlon Primes is described by his peers in many positive ways, including being described as good-natured, exceptionally kind, and having a heart of gold and the patience of a saint.")
- Instructor, National Advocacy Center (2013-16)
- Life Member, Ohio Eighth District Court of Appeals Judicial Conference (2012 - present)
- President, Norman S. Minor Bar Association, Cleveland, Ohio (1995-96) and (BV Peer Review) Very High Rating in Both Legal Ability and Ethical Standards
  - Recipient, Norman S. Minor Bar Association Trailblazer Award
- Lexis-Nexis, Martindale-Hubbell (2006 - present)
- Crain's Cleveland Business, 40 under 40 future leaders (Class of 2001)
- Volunteer Attorney, Antioch Baptist Church and Credit Union, Cleveland, Ohio (1997 - 2020)
- Recipient, Cleveland Marshall College of Law Black Students Association Achievement Award
- Recipient, Ohio University Outstanding Senior Leader
- Recipient, Ohio University Outstanding Black Graduating Senior
- Recipient, Phi Beta Sigma Alain Leroy Locke Scholar
- Recipient, Ohio University E.W. Scripps School of Journalism Outstanding Graduate
- [Highest AUSA Rating of Outstanding in all Performance Areas](#)

## Presentations & Publications

- ["Social Media Policies: Balancing Employer Needs" and "Employee Rights & Drugs and Alcohol in the Workplace: Marijuana and Other Considerations,"](#) Ohio Human Resource Law Boot Camp, October 2023
- "The Paralegal's Guide to Law Office Management: Ensuring Legal Compliance Across Files and Records," National Business Institute, September 19, 2023
- "Ethics for Government Lawyers, Prosecutors and Public Officials," National Bar Association's 98th Annual Convention and Exhibits, Minneapolis, MN, August 2, 2023
- "Construction Contracts 101," Ohio Economic & Community Development Institute (ECDI), July 24, 2023
- ["Discrimination, Harassment, and Retaliation Law Updates: What Paralegals Need to Know,"](#) National Business Institute, July 13, 2023
- ["Ohio Employment Law: Hiring, Firing, and Disciplining Employees." Guidelines for Terminating Employees on Leave and Ethical Issues in Employment Law,](#) National Business Institute, June 2023
- "Ethics for Government Lawyers, Prosecutors, and Elected Officials," National Bar Association's 43rd Annual Midyear Conference, April 2023
- ["Spotting a Sham - What You Need to Know About MWBE/DBE Business Certification Processes,"](#) For The Defense,

February 2023

- "Former Assistant U.S. Attorney Marlon Primes values the start he got at Ohio University and WOUB," WOUB Public Media, January 31, 2023
- Panelist, "Transitioning In and Out of Government Services," National Bar Association's 97th Annual Convention & Exhibits, Memphis, TN, July 24-29, 2022
- Panelist, "Experts: Communicating Complex Ideas and Issues Consistent with Messaging Trends," American Bar Association 2022 Litigation Section Annual Conference, Miami Beach, FL, May 4-6, 2022
- "Promoting Diversity Now and in the Future Through the CMBA Affinity Bars of Colors," Cleveland Metropolitan Bar Journal, March 2021
- "COVID-19 Pandemic and the Digital Divide: The NBA on the Frontlines," National Bar Association Magazine, January 2021
- "Back to the Future: Thank You for a Great Year," Cleveland Metropolitan Bar Journal, June 2019
- "Reflections from the Tortoise Shell on the Government Shutdown and its Implications for the Legal Profession," Cleveland Metropolitan Bar Journal, April 2019
- "Minority, Cleveland Bar Associations Band Together to Address Diversity," Crain's Cleveland Business, January 20, 2019
- "Back to the Future: Celebrating Our Past and Preparing for Our Future," Cleveland Metropolitan Bar Journal, July/August 2018
- "Ex Parte - Personal Profile of Marlon Primes," Ohio Lawyers Weekly, June 10, 2002
- "Forty Under 40, Class of 2001," Crain's Cleveland Business, November 25-December 2, 2001
- "Eye on Paralegals: Maintaining Control of Your Legal Practice Through the Effective Use of Paralegals", Cuyahoga County Bar Association *Law & Fact*, September/October 1999
- "'Take-Charge' Attorney Puts Spark in Black Lawyers' Group", Cleveland Plain Dealer, May 27, 1997
- "Discovery in Federal District Court: Pitfalls for the Unwary", Cleveland Bar Journal, January 1997
- "Why Honey is Better than Vinegar", *My First Year as a Lawyer: Real World Stories from America's Lawyers*, edited by Mark Simenhoff, September 1, 1994

## Testimonials

1. *"It was an absolute pleasure working with Marlon on this matter. Listening to him mediate a decades long dispute was a treat for me. It was like a master class in negotiation. He was consistently the voice of common sense and reason in the face of highly emotional parties and their incredibly litigious attorneys. Marlon used every negotiation trick in the book, he refused to take litigation for an answer, and his polite and professional manner got the deal done. I wish we had recorded some of our calls because they are textbook examples of how to negotiate while still maintaining your client's best interests.*

*Agency counsel was highly complementary of Marlon's work on this case, and I'm sure that Marlon is not going to share that information with you.*

*Thank you for giving me the opportunity to work with Marlon and be in his side car." -Former Client/Colleague*

2. *"Thank you so much for your diligence and speed in handling this matter. I think your team is top notch! Now I can sleep better at night & move on to the important things in my life." -Client with a substantial quiet-title action that was successfully resolved under time constraints.*

## Practice Areas

Litigation

Construction Law

Business & Corporate Law

Employment / Labor Law

Real Estate

Appellate Practice Group

Government Affairs, Public Law & Lobbying

Cannabis Law

E-Discovery

Creditor's Rights

White Collar Crime

Education

Contact Marlon Today!