

# SUSAN HLYWA TOPP

## TOPP LAW PLC

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### **AREAS OF LAW PRACTICE**

Environmental  
Gas & Oil  
Natural Resource Law  
Real Estate Development (Condominium and Planned Unit Developments)

### **PROFESSIONAL BACKGROUND**

2001 – Present

Owner of Topp Law PLC

1995 – 2001

Associate in the law firm of Plunkett & Cooney, P.L.C., Gaylord office. Member of the firms Business Litigation, Environmental, E-Commerce, and Municipal Practice Groups.

1993 – 1995

Partner in the law firm of Rolinski & Topp, specializing in Environmental, Oil & Gas, and Municipal Law.

1988 -- 1993

Environmental Conservation Officer, Michigan Department of Natural Resources, Law Enforcement Division. Enforcement of Michigan and federal environmental and natural resource protection statutes. Conduct, supervise, and coordinate investigations of alleged violations of state and federal environmental statutes, including RCRA, CERCLA, Supervisor of Wells, Clean Water Act, Liquid Industrial Waste, Inland Lakes & Streams, and Wetland Protection.

1980 – 1988

Conservation Officer, Michigan Department of Natural Resources, Law Enforcement Division. Enforcement of laws primarily dealing with fish, wildlife, marine, off-road vehicles, inland lakes, streams, and wetland protection.

## **PROFESSIONAL MEMBERSHIPS**

State Bar of Michigan:

Representative Assembly – Representative for the 46<sup>th</sup> Judicial Circuit, 2004 to present

Environmental Law Council:

Chair Elect 2006/2007

Secretary/Treasurer 2005/2006

Council Member 1999-2005

Environmental Law Section:

Chair, Program Committee

Wetland and Natural Resource Committee

Superfund Committee

Real Property Law Section:

Condominiums and PUD Committee

Administrative Law Section

Litigation Law Section

American Bar Association:

Section of Environment, Energy, and Natural Resources

Litigation Section:

Environmental Litigation Committee

Pretrial Practice & Discovery Committee

Administrative Law Section

State and Local Government Law Section

Adjunct Faculty Member, Siena College - Audubon International Institute

Michigan Trial Lawyers Association

Association of Trial Lawyers of America

Environmental Law Institute

Rocky Mt. Mineral Law Institute

## **PUBLICATIONS AND LECTURES**

“Commercial Wind Turbine Generators”, Wayne State University Law School, March 22, 2006, Detroit, Michigan (Speaker)

“Gas and Oil Issues in Real Estate Transactions”, Michigan State Bar Environmental Law Section, February 17, 2006 (Speaker and Author)

“Wind Power Perspectives”, Vol 19, No. 1 Great Lakes Commission Advisor (Winter 2006) Author

“Alternative Energy Sources Along the Great Lakes”, The National Water Crisis: Energy and Access for All?, University of Toledo College of Law, November 18, 2005, Toledo, Ohio (Speaker and Author)

"Severed Minerals: Restrictive Covenants as Restrictions on Surface Use by the Mineral Owner", Rocky Mountain Mineral Law Foundation: Severed Minerals Split Estates, Rights of Access, and Surface Use in Mineral Extraction Operations, February 17-18, 2005, Westminster, Colorado (Author)

“Wind Turbine Generators”, Michigan State Bar Environmental Law Section, June 16, 2005 (Speaker)

"Severed Minerals: Restrictive Covenants as Restrictions on Surface Use by the Mineral Owner" Vol 32, No. 4 Michigan Real Property Review (Winter 2004) Author

“Effect of Oil & Gas Mineral Rights on Real Estate Transactions”, Michigan State Bar Environmental Law Section, May 9, 2003, Speaker and Author

“Update and Repairs on the Condominium Act”, ICLE Homeward Bound, May 9, 2002 (Speaker and Author)

“Negotiating Contaminated Property Transfers”, Michigan State Bar Environmental Law Section, February 22, 2002 (Speaker and Author)

"Natural River Act: Inconsistencies in Variance Rules," 16 Mich Env L J No 4 (1997)

"Non-Point Source Water Quality Regulation in the United States," VII-6 International Legal Strategy, No. 15 (1998) Author

“Severed Minerals: Are Surface Owners Entitled to Damages for Diminution of Their Property Value?” Vol.78, No. 2 Mich. B. J. 148 (Feb. 1999) Author

"Environmental Aspects of Real Estate Transfers," Upper Michigan Legal Institute and the Institute for Continuing Legal Education of the Michigan State Bar, June 1996 (Speaker and Author)

"Listen, Learn & Lead: Surviving in These Litigious Times," Michigan Municipal League, September 1996 (Speaker)

"Natural Resources/Wetlands: Wetlands Mitigation, Habitat and Open Space," State Bar of Michigan Environmental Law Section Update '96, October 1996 (Speaker and Author)

"Contaminated Property Issues Under Part 201 of the Natural Resources Environmental Protection Act," Michigan City Management Association, July 1997 (Speaker and Author)

**OTHER MEMBERSHIPS** (Past and Present)

Rotary  
Chamber of Commerce  
American Association of University Women  
Michigan Oil and Gas Association  
Otsego County Community Foundation, Board of Trustees  
Headwaters Land Conservancy, Board of Trustees  
Michigan State Bar Oil and Gas Committee  
Michigan Urban Land Institute and Urban Land Institute

**ACADEMIC BACKGROUND**

Preparatory Education: Central Michigan University, (B.S., cum laude, 1978)

Legal Education: Wayne State University (J.D., cum laude, 1991)

Honors and Awards: American Jurisprudence Award for Legal Research & Writing, 1987  
Trial Advocacy Award, 1988

Admission to Bar: 1992, Michigan  
1992, United States District Court, Eastern District of Michigan

**PERSONAL INTERESTS**

Married with four children. Enjoy backpacking, back country camping, canoe camping, cross-country and downhill skiing, sailing, scuba diving, and collecting Indian artwork and artifacts.

**NOTABLE CASES**

Terra Energy, Ltd v State of Mich, 241 Mich App 393, 616 N.W.2d 691 (2000).

The Mabel Cleary Trust v The Edward Marlah Muzyl Trust, et al, 262 Mich App 485, 686 N.W.2d 770 (2004).