

# Partners at Ohio civil defense firm put their Cleveland roots to good use

By Brian Cox

“Civil attorneys make the best ‘Jeopardy!’ contestants,” quips Bob Terbrack.

“My wife has encouraged me to try out for ‘Jeopardy!’, but I haven’t taken the test yet,” responds Brian Winchester. “I don’t think I can pull a ‘Ken Jennings.’”



**Attorney Bob Terbrack and his wife, Sheila, enjoy spending time on the water with their two daughters, Tess, 7, and Colette, 9. Bob and Sheila met while in law school.**



**Bob Terbrack**



**Brian Winchester**

As two of the four partners at McNeal, Schick, Archibald & Biro Co., L.P.A. (MSAB), in Cleveland, Terbrack and Winchester share the camaraderie of an experienced tag team. Their comfortable, easy dynamic with one another reflects the wider culture of the civil defense firm.

“We’re a small shop,” says Winchester, who acts as managing partner and is renowned for his ability to pull a relevant case name and/or case citation out of thin air. “You spend enough time with each other, so you’ve got to be able to get along. Hating each other is not productive.”

The firm’s history spans more than 90 years and covers a diverse legal landscape, including representing insurance carriers and their insureds, architects, business owners, engineers, surveyors, contractors, accountants, lawyers, doctors, and pharmacists.

“Whether it’s a contractor or an architect or an engineer, I can talk the principles of engineering and architecture and understand my client’s business and what we need to accomplish,” says Winchester, adding that the firm also handles appellate work – members have argued in at least four of Ohio’s dozen appellate districts in the last year.

Both Winchester and Terbrack are lifelong Clevelanders who happened to attend the same all-boys high school – Saint Ignatius.

While Winchester knew from an early age that he wanted to be a lawyer, Terbrack only decided to go to law school after a short career in business and sales.

A third generation Clevelander, Terbrack grew up in a largely Irish neighborhood that was an enclave of firemen and cops. His grandfather was a railroad man, and his father was the first Terbrack to graduate college. His mother worked for Ohio Bell Telephone Co., starting as a phone operator. Later, she returned to school and Terbrack remembers his mother going to college at night after working all day.

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**Family is a priority for Cleveland attorney Brian Winchester. He and his wife, Mary, have three children (l-r) Molly, Seamus, and Shannon.**

"I come from blue-collar roots and hard-working parents," says Terbrack. "Hopefully, I put that into my practice."

Terbrack left Cleveland for four years to attend Sellinger School of Business and Management at Loyola University Maryland in Baltimore. When he returned home in 2004, he secured a sales position selling booth space at trade shows in the art and framing industry.

"It was a pretty cool job. I really enjoyed it," recalls Terbrack of the job that took him all around the country and helped hone his interpersonal skills.

At the same time, Terbrack could see that the economy was under threat, and it was clear to him that the trade show model did not have a secure future – and neither did his job.

"I understood that if I stayed in sales, my job would be at the mercy of whatever market I was in or management I was under," explains Terbrack. "I wanted to be in a profession where I wasn't going to be counting on the markets or on bosses to tell me what to do."

In the law, he saw an opportunity to be more in control of his career and less reliant on the whims of any one market. He liked that as a lawyer he could build his own practice and develop one-on-one relationships with clients. He decided to go to Cleveland-Marshall School of Law (now known as Cleveland State University

College of Law) to "get the tools to be able to sell myself."

"At the end of the day, that's why I chose law and that's why I'm here," he says.

In light of his business background, Terbrack knew from the outset that he wanted to be a civil litigator. He clerked at a civil law firm that his wife's uncle ran and was offered a job after graduation, but he elected to accept a position as a judicial staff attorney with Judge Daniel Gaul in the Cuyahoga County Court of Common Pleas.

He learned the inside machinations of civil litigation from the court's side and met a lot of important contacts, including Pat Gump, who would years later play a key role in bringing Terbrack on board at MSAB.

From the Court, Terbrack moved on to join a business litigation firm that was involved in foreclosure work, but it was a short stint, and he soon after landed in the probate department at one of Cleveland's biggest mesothelioma plaintiff firms.

Terbrack next sought a change by joining a civil defense firm where he worked on the defense side of mesothelioma cases. He found his groove and rose through the ranks, eventually becoming a practice group manager in the firm's mass torts department and becoming a partner.

More than five years later, in 2021, he was having lunch with Gump, his old friend and colleague from his days as a judicial staff attorney at the Court of Common Pleas.

"I'm here to poach you," said Gump, who was by then a partner at MSAB. Terbrack was ready for a change.

"You just have to make sure Brian Winchester likes you," concluded Gump.

The interview consisted of Gump and Winchester meeting with Terbrack over a few beers in the basement of the building where the law office was located.

"We knew that if we could enjoy each other's company on that level, everything else would fall into place," says Terbrack. "The rest is history."



**Bob with his oldest daughter, Colette.**



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**Brian and Mary are high school sweethearts who married two years after graduating from Xavier University in Cincinnati.**

Unlike Terbrack, Winchester's career path to MSAB was fairly direct: It started next door when he was a kid. Winchester's neighbor growing up happened to be Bob Archibald, one of the founding, named members of the firm.

Winchester is the third of seven children in a large Irish-Polish family. His father was a social worker, and his mother was an RN. Like Terbrack, Winchester drew life lessons about education and hard work from watching his mother return to school to get her master's degree.

He can't pinpoint early influences on his desire to be a lawyer, but he also can't remember a time when he didn't want to be.

"I knew I wanted to be a lawyer from the beginning, and I wanted to do trial work," he says. "There was no doubt in my mind that I was going to be a lawyer, and I was going to try cases."

After earning an undergraduate degree in political science from Xavier University in Cincinnati, Winchester enrolled at the Cleveland-Marshall School of Law. The summer prior to starting law school, he began work as a docket clerk at MSAB.

He hasn't left.

"That's how I got my foot in the door to start clerking after college some 30 years ago," says Winchester with a wry smile. "Climbing the ranks afforded me the ability to do the work. I may not be smarter than you, but I will outwork you. I don't know any better or any different. I've handled just about every task that's been required of me. The chance to see practicing trial lawyers while working through law school really crystallized for me that I wanted to be a trial lawyer. That's what I wanted to do."

With open arms, Winchester walked into an opportunity in the earliest days of his career when an attorney left the firm. Winchester eyed the files the attorney left behind and he began trying cases six weeks after passing the bar and being sworn in. His passion for the mental challenge that the law presents has never waned.

"With any trial lawyer, there's always an ego to be fed, and I've been fortunate to have the opportunity to do that on what I consider the greatest stage in a courtroom while serving a client," he says. "It's a new challenge every day. I love it."

A mere four years after joining the firm as an associate, Winchester became a partner.

He now has more than 100 jury trials under his belt and dozens of appellate arguments throughout the state and multiple appearances before the Ohio Supreme Court.

While Winchester acts as the firm's managing partner, he says the key to the firm's success is collaboration "across the board" in finding creative ways to serve clients.

"Teamwork is what makes the dream work," he says. "We work more by committee than administrative fiat."

MSAB is primarily a civil defense firm, but Terbrack says his practice is ever expanding and changing.

"I actively try not to say 'no' to anything," he says. "I like to keep things open. Things will come across my desk that may not match what I do most of the time, but every time I've said yes to something, I'm glad I did."

Winchester's practice consists largely of construction and insurance related issues and runs the gamut from child abuse to catastrophic construction fatality claims.



**Bob, Tess, and Colette attend a Cleveland Guardians game at Progressive Field.**

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For both attorneys, family is a primary focus of their lives.

Winchester and his wife, Mary, are high school sweethearts who married after his first year of law school. They now have three children, ranging in age from 15 to 25. Their son, Seamus, is a probation officer; Shannon is a recent college graduate who has gone back to nursing school; and Molly is a sophomore in high school who is learning to drive. Mary works for the local Catholic school as a kindergarten aide.

"I don't have many other great interests other than having my lawn have the straightest lines on the street," he jokes.

Terbrack quotes the song "We Found Love" by Rhianna when relating how he met his wife, Sheila: "We found love in a hopeless place."

By which he means law school.

His wife, Sheila, is now a public defender. With two attorneys in the house, Terbrack says it can be a "ping pong game" over who is in trial and who has to step up and take care of the kids. They have two daughters: Collette is 9 and Tess is 7.

"I am very happy that my work and my family are the only two things I have to talk about because those two things are the most important to me," says Terbrack, "and if I can be successful only in work and family, I will die a very, very happy man."

MSAB became a Primerus member in 2023. The firm's philosophy of being "Tried, Tested, True" reflects its commitment to blending substantial experience with innovative approaches to litigation, ensuring its clients receive not only expert legal representation but also forward-thinking strategies tailored to their unique needs.

Relationships are really the biggest factor in our practice," says Winchester. "You build a relationship with the client. It's not a transaction. It's a relationship."



**The Winchester family gets into the Christmas spirit. From the left, Mary; Shannon is a nursing student; Molly is a sophomore in high school; Seamus is a probation officer; and Brian.**