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ADMITTED TO PRACTICE: Kentucky (1974); Indiana (1981); U.S. Federal Courts: E.D. KY (1975), W.D. KY (1976), S.D.IN (1981), Seventh Circuit Court of Appeals (1991). Member of Kentucky, Indiana, Louisville, Clark County Bar Assns.

REPORTED CASES: Popp v. Hardy, 508 N.E.2d 1282, Ind.App.(1987); HAAK v. Bullock, 413 F.Supp. 1032, E.D.Ky. (1976); Bullitt Cty Bank v. Publishers Printing Co, Inc., 684 S.W.2d 289 (1984); Lewis v. Captain's Quarters, Inc., 655 S.W.2d 26 (1983); No. Am.Van Lines v. Comm., 600 S.W.2d 458, Ky (1980); Great Rivers v. Marine Builders, 949 F.2d 397 (6th Cir. 1991).

LEGAL PRACTICE: General Civil Law Practice in Kentucky and Indiana, including: Banking (20%), Wage & Hour/Employment (20%), Real Estate & Corporate (15%), Litigation (15%), Fire Protection Districts (25%), Legislation (5%), Federal & State Trial & Appellate Practice (10%), Probate (5%), Misc.(5%). Bank Clients have included: Republic, BB&T, Regions, Union Planters, Stock Yards, Bank One, Old National, PNC, Liberty, Citizens Fidelity, First Chicago, INB, Indiana National, CommerceAmerica.

Notes on Legal Practice:

- >Commercial Loan document, security and closings: 650+ (1989-1998; 2002-2010).
- >Financial and Corporate litigation: 100+ (1988-2010).
- >Litigation throughout Kentucky and Indiana: 750+(1981-2010).
- >Title Insurance Agency: 300 Owner & Lender policies (1989-2000)
- >Appellate Court: 12 appeals; 4 reversals of lower court; 8 successful defenses.
- >Government Law: 23 years legal advice on financial and employment regulations.
- >Law enforcement: Circuit & District Court prosecution consumer & elder crimes.
- >Wage & Hour law: 22 years working with Fair Labor Standards and labor laws.
- >Equal Employment: 20 years advising and preparing manual on EEOC laws.
- >Business Administration: 18 years financial and office administration for law firm.

PROSECUTOR & LAW ENFORCEMENT:

Assistant County Attorney, Director, Prosecutor Crimes Against Elders;2001-2002.
Assistant Deputy Attorney General, Director of Consumer Protection; 1979-81.
Assistant Commonwealth Atty.; Prosecutor/Director Economic Crime Unit;1977-79.
Assistant Director of Law; Housing & Consumer Affairs; City Louisville; 1976-77.
Assistant Attorney General, Division of Consumer Protection; 1974-76.

PRIVATE LEGAL PRACTICE:

Benson Byrne Risch Siemens & Lange, LLP: Louisville, KY 2002- present.
Benson Byrne & Risch: Louisville, KY and Jeffersonville, IN: 1998-2002.

Brown Benson & Byrne: Louisville, KY and Jeffersonville, IN: 1995-1998.
Frank W. Burke, Robert Benson: Louisville, KY ; Jeffersonville,IN: 1988-1994.
Fox & Smith: Jeffersonville, IN and Louisville, KY: 1984-1987.
Barnett & Alagia: Louisville, KY and New Albany, IN: 1981-84.

PUBLICATIONS:

Legal Compendium Fire Protection Districts: Legal Procedures & Forms:1979-2011.
Economic Crime Manual Law Enforcement - Policies & Procedures: 1977-1979.
Consumer Protection, Attorney General, Procedures Manual: 1979-1981.
Organizational Options for Small Businesses: 1988.
Managing for Growth & Profit: 1986.
Attorney Fees in Public Interest Lawsuits: 1982.

EDUCATION:

Columbus School of Law, Washington, D.C.; J.D. 1974.
Catholic University of America, Washington, D.C.; B.A. 1968
Holy Trinity Theological School, Silver Spring, Maryland: 1966-1967
Holy Trinity College, Winchester, Virginia; 1963-1966.
St. Thomas High School & College, Louisville, Kentucky: 1957-1963.

OTHER LAW ENFORCEMENT EXPERIENCES:

Testimony on economic crime, U.S. Senate Committee, Wash., D.C.; 1976.
Testimony economic crime, Federal Trade Commission, Wash., D.C., 1976.
Appointed to National Task Force On Economic Crime; U.S. Justice Dept.
Honored as Model Economic Crime Program by National DA Association.
Appointed Technology Transfer Prog. Adv. Criminal Justice; San Diego, CA.
Testimony on 31 occasions before Kentucky Senate and House Committees,
Louisville Bd Alderman, Jefferson Fiscal Court, and Regulatory Boards; 1974-1981.

VISITING INSTRUCTOR IN LAW ENFORCEMENT & FIRE PROTECTION:

Jefferson County Fire Trustees Association; 1990-2011.
Kentucky Tech Fire/Rescue Training; 1997
Louisville Bar Association, Continuing Legal Education; 1981-1983.
National Association of Attorneys General: 1979-81.
National Association of District Attorneys; 1977-79.
Kentucky County Attorney & Commonwealth Attys Associations; 1977-81.
Kentucky Department of Justice; 1979-1983.
Kentucky State, Jefferson County, & Louisville Police Departments; 1977-79.
National Crime Prevention Institute; 1978-79.
University of Kentucky College of Law; 1976.
University of Louisville, Economics; 1976-1980.
Morehead University and Indiana University Southeast: 1979-1980.

OTHER PROFESSIONAL EXPERIENCES:

Congressman Mazzoli; Washington, D.C., Legislative Assistant; 1971-1974.
Education & Community Development Organizer, Tam Ky, Viet Nam: 1968-1970.
Classification & Treatment Officer, Kentucky State Reformatory: 1971.
Drug Rehabilitation Counselor, Resid. Treatment Ctr, Wash, D.C. 1967-68; 71-72.
Residential Assistant Director, Martin de Porres Hospice, Wash., D.C. 1967.
Counselor, Neighborhood Youth Corp, Washington, D.C. 1968.
Counselor, Youth Group, Fides Settlement House, Washington, D.C. 1964-68.
Family Counselor in seminary outreach program, Berryville, Virginia: 1964-66.

COMMUNITY ACTIVITIES:

Governor's Consumer Advisory Council; KY: 1993 -1996; 2009-present.
Kentucky Regional Fire Training Academy: 1986 - present.
Better Business Bureau: Director: 1989-1995
Rotary International: 1976- 2000; President, Buechel, 1980.
Migration & Refugees Services, Catholic Charities: 1998 to 2002.
Centennial Olivet Baptist Church Reading Program: 1997 - 2005.
Overbacker Court Neighborhood Association, Treasurer: 2000 - present.
Small Business Council, Chairperson, Chamber Commerce; Director: 1986- 1996.
Clark County Bar Association: President 1991
United Way; Review and Allocation Committee: 1984 - 1997.
Buechel Fire Protection District; Trustee & Director: 1983 to 1990.
Jefferson County Fire Trustees Association, Director: 1985 to 1988.
Clean Community Systems, Cty Judge/Exec. A. Mitchell McConnell, Jr.; 1980-83.
Southern Indiana/Louisville Leadership Alliance Committee; 1989-1991.
Jefferson County Consumer Advisory Council; Chairperson, 1988-91.

SPECIAL AREAS OF LEGAL EXPERIENCE INCLUDES:

(1) Prepare routine and complex pleadings and allied court papers in connection with trials, hearings and other court procedures. Provide representation in state and federal courts and administrative forums.

(a) 1984-2011: Independent Practice: practice fluctuates in: Litigation/ Appeals (25%-45%); Banking (15%-50%), Fire Districts (35%-45%); Wage & Hour/ Employment (15%-25%), Real Estate/Corporate (20%-30%), Estates (5%-15).

(b) 1989-198; 2002-2010: responsible to prepare documents for @ 650 commercial loans, average @\$1,500,000; secured by assets and property; 325-500 pages per loan.

(c) 2000-2004: Construction litigation with 29 parties; 12 attorneys; 6 courts; 175 pleadings; @ 11,500 documents; Engineers, Architects, Contractors, Insurance, Successfully defended \$500,000 claim and recovered \$350,000.

(d) 1993-1994: Construction litigation: 162 pleadings; @ 8,250 documents; Successfully defended \$850,000 claim and recovered \$281,172.52.

(e) 1981-1984: Barnett & Alagia (105 member firm: Financial litigation and appeals.

(f) 1979-1981: Attorney General: Director Consumer Protection: supervised 110 Circuit Court cases - 26 different Counties with three attorneys involving 29,098 victim -witnesses; 43 judgments; collection of \$1,533,402.00 citizens restitution.

(g) 1976-1979: Commonwealth Attorney: Director of Economic Crime Unit, supervised 243 felony cases in Jefferson Circuit Court with two attorneys involving 2,517 witnesses with 154 convictions for 858 crimes against 723 victims and \$724,274 in restitution.

(2) Counsel clients, investigate and review claims to determine merits of proceeding with the case or complaint. Review and make recommendations on agreements, contracts and other actions by an agency.

(a) 2000-2002: Designed crimes against elders program as collaborative effort of police, medical school, private and public agencies, based on 1,950 annual KRS 209.030 abuse reports indicating 1,308 elder crimes of neglect (643); abuse (365); exploitation (300) of \$2,093,000; as Assistant Jefferson County Attorney.

(b) 1979-1981: 4,913 investigations, 29,098 victims; Asst. Deputy Atty General;

(c) 1976-1979 Supervised 1,228 investigations involving \$3,383,342 and submitted 962 felonies to Grand Jury, Assistant Commonwealth Attorney (76-79).

(3) Draft bills for introductions to the General Assembly.

(a) 2010: Drafted new legislation KRS 75 to create Suburban Fire Districts (21 sections, 6536 words) introduced into 2011 General Assembly as Senate Bill 144.

(b) 1990: Drafted revisions to ten (10) sections of KRS 75 which was introduced as in 1992, 1994, and 1996, as Senate Bill 189, and enacted into law in 1996.

(c) 1975: Drafted six (6) new, substantive sections of KRS 334 related to the sale of hearing aids, was introduced as House Bill 371 and enacted into law in 1976.

(4) Advise agency heads in legal phases of policy matters. Legal counsel and advisor since 12-15-87 for Jeffersontown Fire Protection District (\$5,508,862 annual budget); Eastwood Fire Protection District (5-17-91:\$1,828,209); Fern Creek Fire District (11-10-95: \$2,730,220); Pleasure Ridge Park Fire District (3-9-06: \$5,320,033; St. Matthews Fire District (1-10-11: \$3,548,700). Developed in 1988 and maintain Operational Manual & Legal Forms Compendium (256 sections, 450 pages).

(5) Provides a variety of legal services for a state agency which are occasionally characterized by issues which are unique, controversial or technical in nature and require extensive research and analysis; and performs other duties as required.

(a) Unique: Creating prosecution of crimes against elders (2000-2002); (2) Compiling all statutes affecting cemeteries involving 40 different chapters of KRS; Creating one of the first economic crime units (1977-1979); Prosecuting a new Housing Code (1976-1977).

(b) Controversial: Disciplinary action against Firefighters (56 cases in 14 Departments with 15 hearings; 1992-2011); Dismissal prosecutions against police officers (1996 & 1999); Economic crime prosecution of police officers; politicians, business, etc. (1977-1979).

(c) Technical in nature and require extensive research and analysis: Participated with lead attorney before Public Service Commission in South Central Bell Case 6659 (1976) and LG&E Case 6723 (1977); Attorney General, Consumer Protection KRS 367.150(8) Rate Intervention (1974-1976) and KRS 367.130 Consumers' Advisory Council (1993-1996; 2009-present); Collaborate with experts in complex litigation; Diversity of practice.

(d) Research: Appellate Court: 12 appeals; 4 reversals; 8 successful defenses.

(5) May coordinate the work of other attorney and non-attorney staff.

(a) Legal counsel for Jefferson County Fire Protection Districts consisting of eighteen (18) separate Districts, 126 Trustees; 920 Firefighters; 38 fire stations (1988-2011).

(b) Director of office of 24 employees, with six attorneys (1979-1981).

(6) Duties are performed primarily in both office and courtroom settings. Travel is required. Litigation experience noted in (1). Travel welcomed, based upon past litigation appearances in 28 Kentucky Counties (1979-1981), although local counsel is sometimes essential.

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KENTUCKY
& INDIANA

October 20, 2011

INDEX FOR LEGAL COMPENDIUM FIRE PROTECTION DISTRICTS

OPERATIONAL MANUAL AND LEGAL FORMS COMPENDIUM

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