



Sturgill, Turner, Barker & Moloney, PLLC

333 West Vine Street, Suite 1500

Lexington, KY 40507

p: 859.255.8581 f: 859.231.0851

www.sturgillturner.com

Joshua M. Salsburey

Member

jsalsburey@sturgillturner.com

December 15, 2020

Mr. Chuck Adams, Superintendent
Spencer County Board of Education
207 W. Main St.
Taylorsville, KY 40071

RE: RFP: School Board Attorney/Legal Counsel

Dear Mr. Adams:

Please consider this letter as the formal response of the law firm Sturgill, Turner, Barker & Moloney, PLLC to the above-mentioned Request for Proposal.

Since its founding more than 60 years ago, Sturgill Turner has been committed to providing clients with the highest quality legal services in a prompt, efficient, and economically feasible manner. Sturgill Turner is proud to count several school districts, colleges, and universities among its clients, serving those clients in a variety of matters including student rights and discipline, contracts and procurement, Open Records and Open Meetings, litigation, administrative hearings, and employment matters.

For more than 25 years, Sturgill Turner has proudly and faithfully served P-12 schools in both private and public education. We have represented school districts in dealing with federal regulatory agencies and in KBSA policy matters. We have assisted schools through challenging disciplinary hearings and employee evaluation appeals. We have helped schools navigate difficult personnel actions. We have successfully defended schools in administrative proceedings and in federal court against student claims brought under the Individuals with Disabilities Education Act.

Because of our experience representing P-12 school districts, school boards, higher education and other educational institutions, Sturgill Turner brings exceptional knowledge of state and federal laws impacting education, including the IDEA, Section 504, and the ADA. We are also well-versed on student matters, including student discipline, student health issues, and compliance with statutes such as the Family Educational Rights & Privacy Act (FERPA).

We have advised clients in challenging financial times through a variety of funding mandates, constraints, and difficult decisions. We have helped schools make advanced registered nurse practitioner care available to students and employees on-site. We have served as special investigators of employee misconduct when the circumstances have required it.

Several attorneys will be available to assist in representation of the Board, including Josh Salsburey, who has a wealth of experience in working with school districts, universities, and other public agencies, and Jessica Stigall, who has strong experience litigating legal matters, including special education. Brief professional biographies for our education law attorneys and a brief history of Sturgill Turner are enclosed with this letter for review and consideration.

Attorneys:

- Josh Salsburey
- Jessica R. Stigall
- Bryan H. Beaman
- M. Todd Osterloh
- Donald C. Morgan

In addition to 28 attorneys, Sturgill Turner employs seven paralegals, two legal nurse consultants, ten legal secretaries and other administrative staff members to assist with the day to day operations of a complete legal services office.

Our commitment to education is demonstrated in the firm's service to our clients; participation in state education organizations like the Kentucky School Boards Association (KSBA) and its Council of School Board Attorneys; and our involvement in national organizations like the National School Board Association's Council of School Attorneys (COSA). We are well-familiar with the KSBA, its staff, and its functions, including the KSBA's school board policy services and processes. Moreover, at the invitation of organizations like the KSBA and the Kentucky Association of School Administrators, we have made several professional presentations to school board members, administrators, and attorneys. At COSA's invitation, Josh Salsburey has written articles and participated in a school safety symposium.

Sturgill Turner attorneys bring more than 25 years of experience in the representation of education institutions in general matters, litigation, and administrative proceedings. We have represented Scott County Schools, Madison County Schools, Fayette County Public Schools, Jefferson County Public Schools, Montgomery County Schools, the University of Kentucky, Morehead State University, Eastern Kentucky University Northern Kentucky University, KCTCS, and several private schools and colleges in Kentucky. We have been called upon by United Educators and the Kentucky School Boards Insurance Trust to defend clients on a number of

occasions, including personal injury claims, sexual assault allegations and other alleged intentional acts, as well as breach of contract and a host of employment law-based claims.

Our commitment to employment and labor issues has been recognized nationally as well. We are the only Kentucky law firm chosen to be a member of the Employment Law Alliance, the most comprehensive network of employment and labor lawyers in the world. This association provides us with immediate access to prominent employment and labor lawyers in every state and over 135 countries. Membership in the ELA also provides us with “value added” opportunities for our clients such as free webinars presented by some of the most knowledgeable and experienced employment and education law attorneys in the country.

References

Sturgill Turner currently serves two school districts in Kentucky: Scott County Schools and Fayette County Public Schools. The firm also works closely with several college and university clients. Points of contact for references are:

Kevin Kidwell, Chairman
Scott County Public Schools
2168 Frankfort Road
Georgetown, KY 40324
Office: 502.570.3031
Cell: 859.494.2969
kevin.kidwell@scott.kyschools.us

Shelley Chatfield
General Counsel
Fayette County Public Schools
1126 Russell Cave Road
Lexington, KY 40505
Office: 859.381.4728
shelley.chatfield@fayette.kyschools.us

Jane Fitzpatrick
General Counsel
Morehead State University
203A Howell-McDowell Administration Building
Morehead, KY 40351-1689
606.783.2452
j.fitzpatrick@moreheadstate.edu

Financial Proposal and Additional Information

Sturgill Turner's extensive legal experience, combined with the depth of its available resources, strengthens the professional services its attorneys and paralegals may provide the Board. We are willing and able to attend Board of Education meetings on an "as-needed" basis. The firm is willing to provide legal services to the Board at a rate of \$210/hour for partners, \$150/hour for associates and \$90/hour for paralegals, respectively. Reimbursement for items such as copying would be at cost, and reimbursement for mileage would be at prevailing IRS mileage rates.

The firm's professional insurance carrier is Markel Insurance Company with limits of liability of \$5,000,000/\$5,000,000. A copy of the declarations page for this policy is enclosed. Additional documentation of this coverage is available if needed.

Thank you for this opportunity to present our firm's proposal. We would be pleased to answer any questions the Board may have and will accept financial responsibility for all travel expenses incurred for oral presentation if required or requested. Thank you for your consideration.

Sincerely,

Sturgill, Turner, Barker & Moloney, PLLC



Josh Salsburey
Member

Enclosures



Response to Request for Proposal

School Board Attorney/Legal Counsel
Spencer County Board of Education

December 15, 2020

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Lexington, KY 40507

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o v e r
60
years of
SERVICE



STURGILL
TURNER

WHY STURGILL TURNER

For more than 60 years, Sturgill, Turner, Barker & Moloney, PLLC has been committed to serving clients in Lexington, across the Commonwealth, and nationwide, with integrity. Whether we're counseling a family-owned business, a university, or a hospital, we're focused on delivering exceptional legal advice and results in an economical manner. When you work with Sturgill Turner, you'll gain access to a team of attorneys equipped to integrate an array of legal disciplines that provide you with comprehensive counsel and creative solutions. We are proud of our reputation among members of the bar and the community as experienced attorneys of sound character, with the recognitions to prove it:

109 Attorneys selected for inclusion in **KENTUCKY SUPER LAWYERS®**
Attorneys rated Martindale-Hubbell® **AV PREEMINENT®** by their peers

21 Attorneys peer-reviewed and recommended by the **BEST LAWYERS IN AMERICA®**

4 Attorneys under 40 named **KENTUCKY SUPER LAWYERS RISING STARS®**

10 Attorneys who have been recognized as **LAWYER OF THE YEAR** by the Best Lawyers in America®, 4 of whom have received this distinction more than once!

18 Practice areas ranked by the **BEST LAW FIRMS®**



We practice what we preach.

Sturgill Turner places great emphasis on employee satisfaction, and as a result, we are able to attract the sharp, dedicated talent we need to produce outstanding legal results for our clients. Being a 13-time Best Place to Work is about more than just winning an award, it's the way we do business.

SERVICE AREAS

Business Owners

- Business Formation & Planning
- Trademark & IP
- Business Acquisitions & Sales
- Business Disputes
- Succession Planning
- Bankruptcy

Education

- Higher Education
- K-12 Schools
- FERPA
- Title IX
- Student Discipline
- Open Records/Open Meetings

Employers

- ADA & FMLA
- Employee Discipline
- Personnel Policies
- Wage & Hour Issues
- Workers' Compensation

Healthcare

- Healthcare Law
- Long-Term Care Defense
- Managed Care
- Medical Malpractice

Non-Profit & Religious Organizations

- Wills, Trusts & Estates

Governmental

- Civil Rights
- Municipal Law/Liability
- Utilities & Energy
- Personnel
- Law Enforcement

Torts & Insurance

- Automobile/UM/UIM
- Bad Faith
- Insurance Coverage
- Personal Injury

Arbitration

- Mediation

**STURGILL
TURNER**

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EDUCATION LAW - P-12 SCHOOLS

Sturgill Turner's Education Law team advises public and private schools across the state on compliance with a variety of federal and state laws, including Open Meetings and Open Records, Model Procurement Code issues, Title IX, and the Americans with Disabilities Act.

Utilizing our team's depth of employment law experience, we're poised to help schools manage personnel matters, such as teacher/faculty tenure, performance, discipline and dismissal, and whistleblower/retaliation cases.

We're also well-versed on student matters, including student discipline, student health issues, and compliance with statutes such as the Family Educational Rights & Privacy Act (FERPA) and HIPAA.

We can counsel schools on litigation prevention practices and perform audits to uncover potential issues. Our attorneys are also prepared to assist school districts and school boards by acting as special investigators when circumstances require that an investigation of student or employee misconduct at any level be handled by an outside party.

Sturgill Turner's service to schools includes advice and representation in all aspects of education law including:

- General counsel services
- Litigation relating to state and federal anti-discrimination laws including Title VII, Title IX, Americans with Disabilities Act, FMLA, and the Age Discrimination in Employment Act
- Employee hiring and termination issues
- Section 504, special education, and due process hearings
- Teacher performance, discipline and dismissal
- Constitutional claims such as free speech, the separation of church and state, religious freedoms, search and seizure issues and due process
- Student discipline
- Records and FERPA
- Title IX compliance
- Open Meetings Act
- OCR, EEOC and KCHR charges and investigations
- Policy issues
- Construction, real estate, contractual matters, and school finance
- Redistricting issues
- Election issues
- School accidents/injuries and worker's compensation
- Wage issues
- Litigation Prevention Practices

EDUCATION LAW EXPERIENCE

Doe v. Logan, Kentucky Court of Appeals (decision affirmed qualified immunity for middle school faculty and staff against alleged failure to prevent sexual abuse by school employee).

S.S., a minor, by and through his parents and next friends v. Eastern Kentucky University, et al., Sixth Circuit Court of Appeals 06-6165 (affirmed summary judgment on claims brought by a student at Model Laboratory Middle School on IDEA claims).

Reynolds v. Stumbo, et al., Shelby Circuit Court, (obtained summary judgment on behalf of school defendants on claims of alleged failure to prevent teacher sexual misconduct).

King v. Silberman, et al., Fayette Circuit Court, (summary judgment granted on behalf of three supervisory school employees in defense of alleged employee sexual harassment).



JOSHUA M. SALSBUREY

Member

jsalsburey@sturgillturner.com

EDUCATION

University of Kentucky, J.D. (2001)
Spring Arbor University, B.A. (1998)
Summa Cum Laude

SERVICE AREAS

Employment Law
Higher Education
K-12 Schools
Nonprofit & Religious Institutions
Special Investigations

AFFILIATIONS

National Association of College and
University Attorneys
Employment Law Alliance
Higher Education Council of the
Employment Law Alliance
Kentucky School Boards Association,
Council of School Board Attorneys
National School Boards Association,
Council of School Attorneys
Fayette County Bar Association
Kentucky Bar Association

ACCOLADES

Spring Arbor University, Young Leader
Award (2012)

COMMUNITY OUTREACH

GO InterNational, Board of Directors
Board Chair (2017-2019)
Board Vice-Chair (2015-2017)
Governance Committee Chair (2015-
2017)

Josh has established a successful education and employment practice, both as general counsel and as a litigation defense attorney. He represents and advises school districts, colleges, and universities in litigation, governance, and employment matters, including discipline, employee policies, the Family Medical Leave Act (FMLA), the Civil Rights Act (Title VII), the Americans with Disabilities Act (ADA), Title IX, Open Meetings and Open Records, contracts, and immunity challenges. Josh also represents a number of employers in both the public and private sectors.

Josh has received advanced training in Title IX investigations from ATIXA (Association of Title IX Administrators), and has served as a special investigator of employee misconduct when circumstances require the investigation be handled by an outside party.

SEMINARS

Handling Commercial Open Records Requests, Kentucky Municipal Clerks Association Annual Conference (2019).

Preserving Confidentiality and Privilege When Representing Public Boards, presentation for the Council of School Board Attorneys at the Kentucky School Boards Association Annual Conference (2019).

Solving the HR Puzzle: Combatting Harassment in a Changing Workplace, The Lane Report seminar (2018).

Discrimination & Harassment Training, Kentucky Association of School Administrators School Human Resource Leadership Program (2018).

Planes, Trains and Automobiles: Liability Issues Arising from Student Travel, University of Kentucky 2nd Biennial Education Law Conference (2017).

Basic Principles and Common Misunderstandings about Open Records, University of Kentucky 2nd Biennial Education Law Conference (2017).

Staying within Ethical Boundaries in Conducting School District Investigations, presentation for the Council of School Board Attorneys (CSBA) Winter Meeting (2016).

Key Issues in 2016 that Will Keep Administrators at U.S. Colleges and Universities up at Night, presentation for the Higher Education Council of the Employment Law Alliance (2016).

Drug Testing of City Employees, presented at the Kentucky League of Cities Annual Conference (2015).

Reasonable Accommodation or Regrettable Obligation? Don't Let Your Good Deed be Punishment, presented at the Kentucky Society for Human Resources (KYSHRM) Annual Conference (2015).

How to Conduct Effective Investigations, presented at the UK CLE Education Law Conference (2015).

The NLRB Comes to Campus: An Update on Union Activity at U.S. Institutions of Higher Education, presentation for the Higher Education Council of the Employment Law Alliance. (2015).

Take it from the Top: The First Amendment and Employment Law Matters, presented at the University of Kentucky's Annual Employment Law Institute (2014) (Author and Presenter).

Stay Out of My Face(Book): A School Attorney's Guide to Social Networking in the Workplace, presented at the Kentucky Bar Association's Annual Convention (2012) (Author and Presenter).

Whose Tube is YouTube? Knowing When a School can Discipline Cyber-Bullying and Other Student Internet Misconduct, presented at the Kentucky School Board Association's Annual Conference (2009) (Author and Presenter).

Common Misunderstandings about Open Records and Open Meetings: Five Truths Every School Administrator Must Know, presented at the Kentucky Association of School Administrators' Institute (2008) (Author and Presenter).

What Does the Statute Say? (The ABC's—and U.S.C.'s and C.F.R.'s—of Records Retention), presented as part of Records Retention: To Keep or Not to Keep, National Association of College and University Attorneys Annual Conference (2008) (Author only).

PUBLICATIONS

Don't Jump the Gun: Navigating Kentucky Law on Regulating Firearms in the Workplace, *Kentucky Constructor*: A Publication of the Association of General Contractors of Kentucky (2014).

"What's Mine is Yours": Tax Consequences of Employer-Sponsored Leave-Sharing Plans, *Inquiry & Analysis*: a publication of the National School Boards Association's Council of School Attorneys (October 2011).

Common Misunderstandings About Open Records and Open Meetings: Four Truths Every School Administrator Must Know, *Kentucky School Leader*: a publication of the Kentucky Association of School Administrators (Winter 2008).

Subduing the Subpoena: Suggestions for a More Manageable Approach, *Inquiry & Analysis*: a publication of the National School Boards Association's Council of School Attorneys (December 2007).



JESSICA R. STIGALL

Attorney

jstigall@sturgillturner.com

EDUCATION

Eastern Kentucky University, B.A. (2009)
Salmon P. Chase College of Law, J.D. (2012)
Henry Clay Scholar
Salmon P. Chase Inn of Court

SERVICE AREAS

Employment Law
Education Law – K-12 Schools
Higher Education Law

ACCOLADES

Best Lawyers in America® “Ones to Watch”:
Education Law; Labor and Employment Law
– Management
Kentucky Super Lawyers Rising Star®

AFFILIATIONS

Central Kentucky American Inn of Court
Kentucky Defense Counsel
Kentucky Bar Association
KBA Young Lawyers Division
Fayette County Bar Association
FCBA Women Lawyers' Association
National Council of School Board Attorneys/
Kentucky Council of School Board Attorneys
Defense Research Institute

COMMUNITY OUTREACH

Dress for Success Lexington: Board of Directors
Junior League of Lexington: Executive Board;
President-Elect (2020); Volunteer of the Year (2018)

PUBLICATIONS

Legal Ethics in Hollywood, *The Benchers*
(Sept./Oct. 2012).

SEMINARS

To Post or Not To Post: Rules for Social Media and Your Future, presentation for Junior Achievement of the Bluegrass “JA Miss Business” (2019)

Jessica Stigall is an associate practicing in the firm’s Employment Law, K-12 Schools and Higher Education Law practice groups. She has extensive experience defending clients in both state and federal court, due to her background in private practice and as an assistant county attorney in Estill County.

She earned her law degree from the Salmon P. Chase College of Law and a B.A. in political science from Eastern Kentucky University. While in law school, Jessica served as a Chase Student Ambassador, was named to the Dean’s List, was a member of the Salmon P. Chase Inn of Court, and was elected as the Student Bar Association Secretary and Vice-President.

Jessica grew up in La Grange but has called Lexington home since 2014. She gives back to her community as a member of the Junior League of Lexington and the Board of Directors for Dress for Success Lexington, and as a volunteer for various other nonprofit organizations. In her free time, she enjoys being active, traveling and spending time with family and friends.

EXPERIENCE

Jessica began her legal career in Richmond, Kentucky where she practiced personal injury litigation, handled social security disability claims at the federal and appellate levels, and practiced real estate law, closing loans for both private and corporate clients. Jessica also practiced as an assistant Estill County Attorney, where she oversaw a variety of court proceedings including arraignments, preliminary hearings, juvenile adjudications and emergency removal hearings.

In 2014 Jessica began working for an insurance defense firm in Lexington, Kentucky where she successfully defended her clients throughout the Commonwealth in cases ranging from minor car wrecks, commercial trucking, premises liability, and products liability litigation. Jessica has taken numerous depositions and appeared in court rooms throughout Kentucky successfully arguing a litany of discovery and dispositive motions.



BRYAN H. BEAUMAN

Member

bbeauman@sturgillturner.com

Bryan has more than 20 years of litigation experience in the areas of constitutional law and civil rights, education law, employment law, government and municipal defense, and representing closely-held businesses. He has counseled and defended some of the largest employers in the region in various employment law matters, and serves as the city attorney for a municipality in Central Kentucky. His unique understanding of the First Amendment and its application to cities, higher education institutions and K-12 schools is the hallmark of his practice. Bryan has litigated numerous cases involving the Establishment Clause and religious displays on government property. In his work with religious schools, Bryan applies a thorough comprehension of the constitutional limitations placed upon government intrusion and works closely with schools to protect their religious liberty appropriately.

Bryan has defended numerous claims before the EEOC charging race, gender, age, and disability discrimination and public employee speech claims. Bryan has also represented business owners in their entrepreneurial interests assisting as they serve as economic drivers in our local communities, offer dependable and supportive jobs for Kentucky families, and provide continuity of service to their customers.

EDUCATION

University of Kentucky, J.D. (1997)
Moot Court Board
W. L. Matthews Fellow
University of Kentucky, B.A. (1994)

SERVICE AREAS

Employment Law
Business Services
Government & Municipal Law
Higher Education
K-12 Schools
Nonprofit & Religious Institutions
Torts & Insurance

AFFILIATIONS

Employment Law Alliance
Higher Education Council of the
Employment Law Alliance
Federal Bar Association
Kentucky Bar Association
Bourbon County Bar Association
Fayette County Bar Association
Defense Research Institute

ACCOLADES

Kentucky Super Lawyers®: Employment
& Labor, Nonprofit Organizations,
Schools & Education
Best Lawyers in America®: Employment
Law - Management
Sixth Circuit Judicial Conference, Life
Member
Alliance Defending Freedom, Senior
Counsel (2010-2012)

COMMUNITY OUTREACH

Bourbon County Boys' Fund,
Commissioner

SEMINARS

Freedom of Speech in the Workplace, a webinar for the
Kentucky Defense Counsel (2019)

Judge Kavanaugh's Impact on the Supreme Court, Central
Kentucky Lawyers Chapter of the Federalist Society (2018)

The Law of Political Speech in the Workplace Setting, UK
Law/CLE 16th Biennial Employment Law Institute (2018)

Current Issues Under Title IX, UK Law/CLE 2nd Biennial
Education Law Conference (2017)

The Rights of Religious Employees (and Employers), UK
Law/CLE 15th Biennial Employment Law Institute (2016)

Representing Non-Profit Organizations: Special Issues for
Religious Organizations, Indiana CLE Forum (2016)

How will the recent changes to the FLSA affect Businesses,
Schools & Non-Profits, presentation for the Paris-Bourbon
County Chamber of Commerce Lunch & Learn Series (2016)

Sexual Orientation, Gender Identity and Religious Liberty
Issues in the Workplace, Kentucky Bar Association
Convention (2016)

Workplace Wellness, presentation for the Paris-Bourbon County Chamber of Commerce Lunch & Learn Series (2016)

Guns in the Workplace, presentation for the Paris-Bourbon County Chamber of Commerce Lunch & Learn Series (2016)

You Don't Have to Go Home but You Can't Stay Here, presentation for the University of Kentucky on the Americans with Disabilities Act (2016)

Protecting the Family Farm through Business Organization and Estate Planning, presentation for the Bourbon County Farm Bureau Young Farmers Association (2016)

Addressing Complaints, presentation at the Education Law Association Conference (2015)

How to Handle Crisis Communications, presentation at the UK Law/CLE Inaugural Biennial Education Law Conference (2015)

Commandments, Crosses and Crèches - Oh My!: The Yellow Brick Road to First Amendment Compliance for Governmental Officials, CLE presentation at the Kentucky League of Cities Conference (2014)

PUBLICATIONS

Reining in Mayberry's Red-Light District (a discussion of regulation of sexually oriented businesses through planning, zoning and licensure controls of local governments), *For The Defense* (June 2007)



M. TODD OSTERLOH

Member

tosterloh@sturgillturner.com

EDUCATION

University of Kentucky, J.D. (2004)
Kentucky Law Journal, Editor-in-Chief

Western Kentucky University, B.A. (2001)

SERVICE AREAS

Government & Municipal Law
Utilities & Energy

AFFILIATIONS

Kentucky Rural Water Association
Kentucky Municipal Utilities Association
Kentucky Bar Association
American Bar Association
Federal Bar Association
Fayette County Bar Association

COMMUNITY OUTREACH

Leadership Frankfort, Class of 2012

ACCOLADES

Best Lawyers in America® Utilities Law
Lexington Lawyer of the Year (2021)

Best Lawyers in America® Utilities Law

Todd's primary practice areas involve utility regulation and municipal defense. As a former Staff Attorney for the Kentucky Public Service Commission, Todd is well-equipped to represent utilities and intervenors in any case before the regulatory agency. He represents the second largest investor owned water utility in the Commonwealth, and has represented a number of municipal utilities before the Commission. Working closely with Jim Gardner, Todd has also represented solar developers, transmission companies, and other companies in the energy sector.

Todd has also represented more than two dozen municipalities in a wide variety of matters. He has represented Cities on cases ranging from a small 4-inch sanitary sewer service line to a massive 120-inch stormwater sewer line. Todd's municipal work extends beyond utilities. He also advises public agencies on eminent domain as well planning and zoning matters. He also frequently represents Cities and their law enforcement officers on cases alleging false arrest, malicious prosecution, abuse of force, wrongful death and wrongful conviction.

In addition to advising clients in utility and municipal law, Todd expanded his practice when he and his wife expanded their family. Since adopting a son several years ago, Todd has helped over a dozen families finalize the adoption of a child. Although adoptions are not a significant percentage of his practice, they are the most rewarding part of his practice.

EXPERIENCE

Represents an industry group on regulatory issues impacting commercial utility customers.

Represented public utilities and municipalities in rate cases before the Public Service Commission.

Successfully defended a public utility in a "show cause" investigation established by the Public Service Commission.

Assisted a water district in obtaining approval for Kentucky

Infrastructure Authority financing and a certificate of public convenience and necessity from the PSC.

Advised a water district on refund of sewer charges ordered by the Public Service Commission.

Represented a public utility and its corporate parents in an administrative case in which the entities received approval of a transfer of control.

Defended several municipalities in litigation involving sanitary sewer backups onto private property.

Advised a regional sanitation district on the legal duty of certain private property owners to pay storm water fees.

Obtained summary judgment on behalf of a municipality and its police officer on claims of false arrest and malicious prosecution in federal court.

Successfully briefed arguments related to municipal contracts on behalf of a municipality, its mayor, and city council members, for which the Kentucky Court of Appeals upheld dismissal of the plaintiff's complaint.

Secured a verdict in favor of his client in a forcible detainer bench trial in Fayette District Court.

Represented parents in adoption finalizations in Fayette, Franklin, Anderson, Jessamine and Scott Circuit Courts.

Law clerk to U.S. Magistrate Judge Tu Pham in Memphis, TN
Supreme Court of the Republic of Palau, Court Counsel

SEMINARS

Problems with Public Records Requests, CLE presentation for the National Business Institute "Advanced Legal Issues Affecting Local Government and Municipalities: The Ultimate Guide" (November 2018)

Open Meetings and Public Hearing Law Changes, CLE presentation for the National Business Institute "Advanced Legal Issues Affecting Local Government and Municipalities: The Ultimate Guide" (November 2018)

Panel Discussion of Open Records/Open Meetings, CLE presentation for the Municipal Attorneys Association of Kentucky (MAAK) (May 2018)

Open Meetings Laws & Public Records Issues, CLE presentation for the National Business Institute "Ensuring Local Governments Comply with the Law" Seminar (2017, 2015, 2013)

Advanced Legal Issues Affecting Local Governments and Municipalities: An Ultimate Guide, National Business Institute CLE (December 2016)

Utility Rate Setting, presentation at the Kentucky League of Cities Annual Conference (October 2012)

Contracts between Cities and Public Utilities, CLE presentation for the Municipal Attorneys Association of Kentucky (MAAK) (October 2011)

Numerous CLE presentations on the Open Records and Meetings Acts at the Water Personnel Training Seminars hosted by the Public Service Commission.



Donald C. Morgan

Attorney
dmorgan@sturgillturner.com

EDUCATION

University of Kentucky, B.B.A. (2013)
Cum Laude

Wake Forest University School of Law,
J.D. (2016)

Magna Cum Laude
Order of the Coif
Wake Forest Law Review,
Editor-in-Chief

SERVICE AREAS

Employment Law
Education Law – K-12 Schools
Higher Education Law

ACCOLADES

Best Lawyers in America® "Ones to Watch": Education Law; Labor and Employment Law – Management; Administrative / Regulatory Law
Kentucky Super Lawyers® "Rising Star"

AFFILIATIONS

Central Kentucky American Inn of Court
Kentucky Bar Association
Fayette County Bar Association
American Bar Association

COMMUNITY OUTREACH

Rotaract Club of Lexington
Central Kentucky Region Sports Car Club of America: Board Member (2017 – Present); Secretary (2011); Membership Chair (2010)

Don Morgan is an associate practicing in the firm's Employment Law, K-12 Schools, and Higher Education Law practice groups. He has extensive experience helping clients achieve regulatory compliance with various government entities.

Don earned his law degree from the Wake Forest University School of Law and a B.B.A. from the University of Kentucky. While in law school, Don served as the editor-in-chief of the Wake Forest Law Review and participated in the Appellate Advocacy Clinic. He also completed a judicial internship for Kentucky Court of Appeals Chief Judge Glenn E. Acree.

Don is a Lexington native who enjoys serving the Lexington community as an active member of the Rotaract Club of Lexington.

PUBLICATIONS

Balancing Interests: How the Prescriptive Easement Doctrine Can Continue to Efficiently Support Public Policy, 50 WAKE FOREST L. REV. 1253 (2015).



Lawyers Professional Liability Declarations

Markel Insurance Company

"A Stock Company"

Ten Parkway North
Deerfield, IL 60015

This is a claims made and reported policy
Please read this policy and all endorsements and attachments carefully

Claims Made and Reported Coverage: The coverage afforded by this policy is limited to liability for only those Claims which are first made against the Insured during the Policy Period or any applicable Extended Reporting Period, and which are reported to the Company in accordance with SECTION V - When to Report a Claim.

Notice: This policy may contain provisions that reduce the Limits of Liability stated in the policy by the costs of legal defense, unless the Named Insured has selected to purchase separate Limits of Liability for Claims Expenses as noted in Item 4. of the Declarations. This policy may contain provisions that permit legal defense costs to be applied against the deductible, unless the Named Insured has selected to purchase the deductible applicable to Damages only as noted in the Item 5. of the Declarations. Please read the policy carefully.

Policy Number: LA308594

Renewal of Policy: LA307378

1. NAMED INSURED: Sturgill, Turner, Barker & Moloney, PLLC

ADDRESS: 333 West Vine Street
Suite 1500
Lexington

KY 40507

2. POLICY PERIOD: From 04/01/2020 to 04/01/2021
at 12:01 A.M. Standard Time at the Named Insured's address shown above.

IN RETURN FOR THE PAYMENT OF THE PREMIUM, AND SUBJECT TO ALL THE TERMS OF THIS POLICY,
THE COMPANY AGREES WITH THE INSURED TO PROVIDE THE INSURANCE AS STATED IN THIS POLICY.

3. LIMITS OF LIABILITY: Each Claim: \$5,000,000
Aggregate: \$5,000,000

4. CLAIMS EXPENSES: Option Purchased
A. Included within the Limits of Liability []
B. Have separate Limits of Liability [X]

5. DEDUCTIBLE: Each Claim and Aggregate: \$10,000
A. Deductible applies to Damages only []
B. Deductible applies to Damages and Claims Expenses [X]

6. ANNUAL PREMIUM:

7. RETROACTIVE DATE: UNLIMITED

8. Forms and endorsements applying to this Coverage part and made part of this policy at the time of issue:

MLP 1400-KY 07 13	KY AMENDATORY ENDT
MLP 1208 07 13	PRIOR ACTS EXTENSION
MLP 1216 07 13	AMENDMENT LOBBYIST
MLP 1218-KY 02 17	BREACH MITIGATION EXPENSE COVG KY
MLP 1219 02 17	ENHANCEMENT ENDT
MIL 1214 09 17	TRADE OR ECONOMIC SANCTIONS
MPIL 1007 03 14	PRIVACY NOTICE
MPIL 1083 04 15	OFAC ADVISORY NOTICE
MLP 0001 07 13	MARKEL INS LAWYERS PROF POLICY


RPSBRD/SC/2020.03.29

To Report a Loss
• Dial toll-free #1 (844)777-8323 or visit our
• Website: <https://my.rpsins.com/claimsfnol>
• Contact Insurer directly (see policy section)

9. Report Claims by fax, registered mail or email to:

Claims Service Center: Markel Service Incorporated; Ten Parkway North, Deerfield, Illinois 60015
Fax (847) 572-6338 E-mail: newclaims@markelcorp.com

These Declarations, together with the Common Policy Conditions and Coverage Form(s) and any Endorsement(s), complete the above numbered policy.


Authorized Representative

Producer Name: RPS Plus Companies, 1150 U.S. Highway 22, Suite 120 Bridgewater, NJ 08807

Markel Producer # 36993

MDLP 1000 02 17

Issue Date: 03/28/2020