

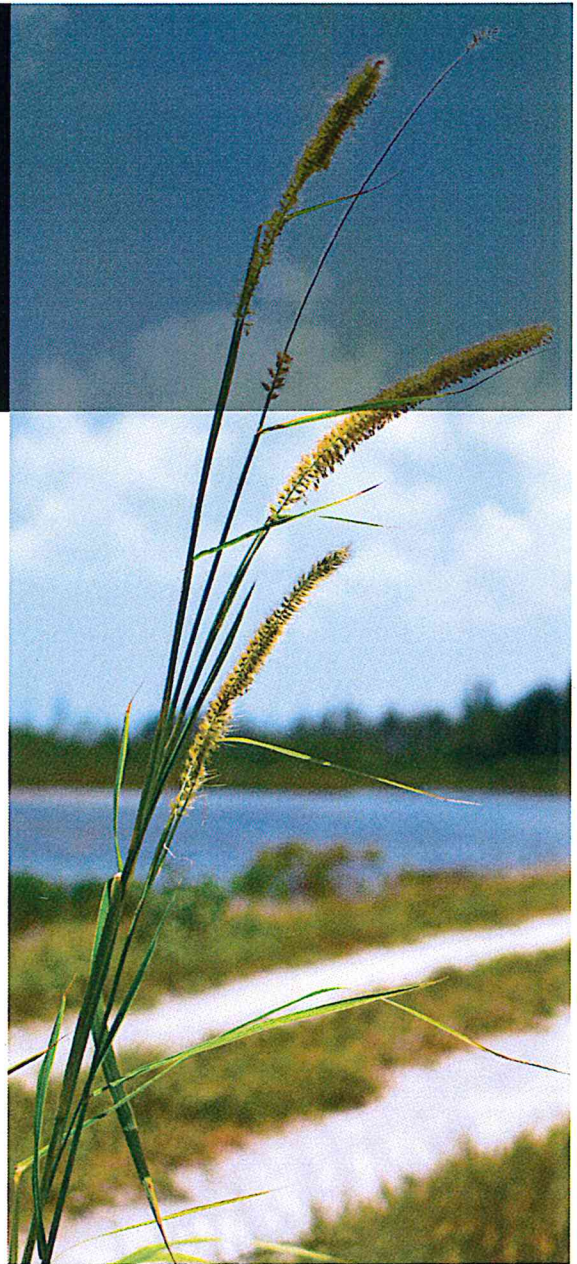
**HUSCH BLACKWELL**

# **Papio-Missouri River Natural Resources District**

**Proposal to Provide Legal Services**

**February 2014**

**Husch Blackwell LLP**  
13330 California Street, Suite 200  
Omaha, NE 68154  
Phone: 402.964.5000  
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# HUSCH BLACKWELL

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### Biographies



## About Husch Blackwell

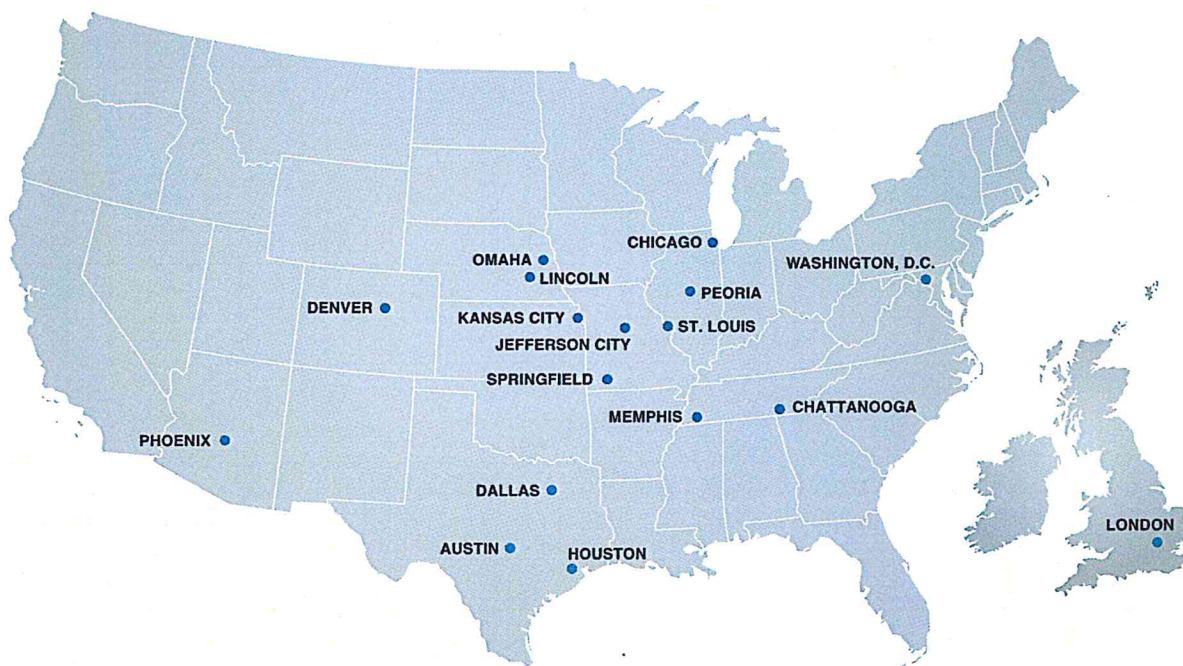
Our clients demand the highest level of legal services, customized to fit their specific needs. To deliver these services efficiently and effectively, Husch Blackwell is structured by industry rather than by practice.

- Energy and Natural Resources
- Financial Services
- Food & Agribusiness
- Healthcare, Life Sciences and Pharmaceuticals
- Real Estate, Development and Construction
- Technology, Manufacturing and Transportation

At Husch Blackwell, teams of lawyers with a depth of experience within a particular industry work together, across practice specialties, to deliver comprehensive solutions to help our clients achieve their business goals. Our partners, associates and legal professionals collaborate closely on client matters, so that each client benefits from the collective expertise of the firm.

Husch Blackwell has 17 offices across the U.S. and in London and a heritage of nearly a century of exceptional legal service. We have a strong, sustained commitment to diversity and inclusion, and our attorneys are dedicated to serving their communities through a wide variety of pro bono work.

For more information about Husch Blackwell LLP, please visit [www.huschblackwell.com](http://www.huschblackwell.com).



## Primary Locations

Principal attorneys working with Papio-Missouri NRD would be located in our Omaha and Lincoln, NE and Kansas City, MO offices:

Husch Blackwell – **Omaha**: 13330 California Street, Suite 200, Omaha, NE 68154, phone: 402.964.5000

Husch Blackwell – **Lincoln**: 610 J Street, Suite 200, Lincoln, NE 68508, phone: 402.434.8040

Husch Blackwell – **Kansas City**: 4801 Main Street, Suite 1000, Kansas City, MO 64112, phone: 816.983.8000

# HUSCH BLACKWELL

## Principals of the Firm

### Maurice Watson, Chairman

Watson became Chairman of Husch Blackwell on April 1, 2012, making it the largest law firm in the country with an African-American Chairman. A local leader, Watson works extensively in the legal, business and philanthropic communities and has dedicated his career to representing public school districts, private schools, institutions of higher education and national education associations.

### Greg Smith, CEO/Managing Partner

A member of the Real Estate, Development & Construction team, Greg counsels public and private clients in all facets of real estate transactions, with particular emphasis on public/private partnerships. He has been active in identifying and structuring public incentives for corporate relocations, commercial real estate developments and significant public infrastructure projects.

## Personnel

Omaha lawyers: 20

Omaha non-lawyers: 14

Lincoln lawyers: 3

Lincoln non-lawyers: 1

Total Firm lawyers: 610

Total Firm non-lawyers: 681

Biographies of the attorneys who would be primarily responsible for providing services to the Papio-Missouri Natural Resources District are attached.

## Firm's Principal Practice Areas

Please see attached a list of our firm's industries and services provided on the next page.



## Industries

### Energy & Natural Resources

- Electric Transmission
- Energy Marketing & Trading
- Energy Regulation
- Exploration & Production
- Energy Regulation
- Facilities Development & Construction
- Midstream
- Mining & Minerals
- Renewable Energy

### Financial Services

- Banking & Finance
- Financial Litigation
- Franchise & Distribution
- Insolvency & Commercial Bankruptcy
- Insurance
- Investment Management
- Private Wealth
- Tax Credits

### Food & Agribusiness

- Agribusiness Finance
- Animal Health
- Seed Industry & Stewardship
- Sustainable Agriculture

### Healthcare, Life Sciences & Pharmaceuticals

- Hospitals & Health Systems
- Post-Acute Care Providers
- Ancillary Service Providers
- Physicians & Other Professionals
- Pharmaceuticals

### Real Estate, Development & Construction

- Construction & Design
- Corporate Real Estate
- Development Incentives & Tax Credits
- Hospitality
- Housing – Multifamily, Senior & Student
- Investment Real Estate
- Land Use
- Levee & Flood Protection
- Public-Private Partnerships (P3)
- Telecommunications

### Technology, Manufacturing & Transportation

- Technology
  - Automation & Building Technologies
  - Computers & Electronics
  - Information Technology

- Instrumentation & Controls
- Power & Energy Management
- Software Development & Licensing
- Manufacturing
  - Automotive
  - Chemical Manufacturing
  - Consumer Products
  - Industrial Automation
  - Metal Manufacturing
  - Mineral Product Manufacturing
  - Paints & Coatings
  - Petrochemicals
  - Plastics & Rubber Products
  - Specialty Chemicals
  - Wood & Paper
- Transportation
  - Aviation
  - Logistics
  - Maritime
  - Rail
  - Truck, Transit & Ground

## Services

### Corporate

- Closely Held Business
- Commercial Contracting
- Investment Management
- Mergers & Acquisitions
- Securities & Corporate Governance

### Employee Benefits & Executive

- Compensation
- Employee Stock Ownership Plans

### Environmental

- Climate Change & Sustainability
- Environmental & Chemical Regulation
- Environmental Remediation & Superfund

### Franchise & Distribution

### Government Compliance, Investigations & Litigation

- White Collar Criminal Defense

### Government Contracts

- Postal Service Contracting
- Qui Tam/False Claims Act

### Higher Education

### Information Governance

- Privacy & Data Security
- Records Retention & Information Management

### Insolvency & Commercial Bankruptcy

### Intellectual Property

- Advertising & Marketing
- Entertainment & Media
- Intellectual Property Counseling
- Intellectual Property Litigation
- Life Sciences
- Patents
- Technology & E-Commerce
- Trade Secrets
- Trademarks & Copyrights

### International

- Asia
- Customs & Trade
- Mexico, Central & South America
- U.K., Europe & Middle East

### Labor & Employment

- Immigration
- Labor & Management Relations
- OFCCP Compliance
- Safety & Health

### Litigation

- Alternative Dispute Resolution
- Antitrust & Unfair Competition
- Appellate

- Business Litigation
- Class Action
- Consumer Fraud Litigation
- E-Discovery
- ERISA/Employee Benefits Litigation
- Product Liability
- Securities Litigation
- Toxic Tort
- Trade Secret & Business Information Protection

### Private Wealth

- Nonprofit Organizations

### Public Policy, Regulatory & Government Affairs

- Association, Coalition & Nonprofit Services
- Federal Government Affairs & Lobbying
- Governmental Ethics & Election Law
- State & Federal Regulatory Law
- State Government Affairs & Lobbying

### Tax

## Team

Please see attached attorney biographies for our proposed team in Appendix A.

- Michaelle Baumert, Partner
- Harold Daub, Partner
- Michael S. Degan, Partner
- Tim W. Gay, Senior Advisor
- Steve Grasz, Partner
- David R. Human, Partner
- Karin M. Jacoby, P.E., Senior Counsel
- Mary Elizabeth "Molly" Kurt, Of Counsel
- David M. Newman, Associate
- Todd A. Richardson, Partner
- Ronald J. Sedlacek, Of Counsel
- Gene Summerlin, Partner

## Governmental Agency Experience

### River/Levee/Natural Resources Districts

- Atherton Levee District
- Big Island River Conservancy District
- Des Moines and Mississippi Levee District #1
- Eagle River Water & Sanitation District
- Earth City Levee District
- Fabius River Drainage District
- Ft. Bend County Levee Improvement District No. 2
- Grand River Dam Authority
- Groveland Township Water District
- Howard Bend Levee District
- Hunt-Lima Drainage & Levee District
- Lakeside 370 Levee District
- Marion County Drainage District
- Mississippi and Fox River Drainage District #2
- Missouri Bottoms Levee District – Bridgeton
- Monarch-Chesterfield Levee District
- Papio-Missouri River Natural Resources District
- Riverport Levee District
- Ste. Genevieve Joint Levee Commission
- SNY Island Levee Drainage District
- Southwestern Illinois Flood Prevention District Council

### Fire, Sewer and Community Improvement Districts

- 39th Street Community Improvement District
- Grain Valley Community Improvement District
- Grove Community Improvement District
- Little Blue Valley Sewer District
- Northwest Area Community Improvement District
- Parkville Old Towne Market Community Improvement District
- Pattonville Fire Protection District
- Platte City Market Center Community Improvement District
- Red Bridge Community Improvement District
- Reserve Metropolitan District No. 2
- Springdale Community Improvement District
- Stone County Sewer District No. 1
- The CWE Business Community Improvement District
- Troost Avenue Community Improvement District
- Flora Place Community Improvement District

### Cities, Counties and Other Public Entities

- Camden County Planning & Zoning Commission
- Camden County Commission
- Chattanooga Housing Authority
- City of Aledo
- City of Austin
- City of Bridgeton
- City of Carbondale
- City of Centralia Illinois
- City of Chicago
- City of Des Moines, IA
- City of Joplin
- City of La Vista, NE
- City of Ladue
- City of North Kansas City



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- City of Oakland
- City of Papillion, NE
- City of Poplar Bluff
- City of Round Rock
- City of Sacramento
- City of Sikeston, MO
- City of Springfield, MO
- City of Tecumseh, Public Works Division
- City of Warrensburg, MO
- City of Washington, IL
- City of Weston, MO
- City of Willow Park
- Clay County, Missouri Collector's Office
- Colorado Civil Justice League
- Community Fire Protection District
- Hamilton County Schools Fund for Excellence
- Jackson County, MO
- Kansas Corporation Commission
- LCRA City of St. Louis
- Missouri Department of Higher Education
- Missouri Department of Insurance
- Missouri Highways and Transportation Commission
- Missouri House of Representatives
- Morton Police Pension Fund
- Morton Road District
- Morton Township
- Pekin Park Foundation
- RREEF Villages of Bogey Hills L.P.
- Sarpy County, NE
- Springfield Public Schools, NE
- St. Clair County, IL
- State of Montana, Department of Revenue
- Tazewell County Sheriff
- Tenth Circuit CJA Panel
- Tri-Community Volunteer Fire Department
- Village Of Champ
- Village of Glen Carbon, IL

## Levee & Flood Control Expertise

Since 1929, we have represented public entities in the planning, financing and construction of public infrastructure and flood control systems. We have a unique understanding of the legal and legislative issues surrounding levee and drainage facilities and the entities that build and manage them. Through numerous critical projects, we have consistently and successfully partnered with clients, engineers, financial advisors, the USACE, FEMA and other state and local governments to develop legal strategies and solve complex legal matters in a cost-effective manner.

## Our Clients

Our levee and drainage district clients, as well as our municipal clients, provide various levels of flood protection for hundreds of thousands of acres of urban and agricultural property and manage hundreds of miles of levees. These clients also manage hundreds of miles of storm-water drainage channels. The value of land and other property protected by our clients' flood protection improvements exceeds \$50 billion. In addition to clients throughout the Midwest and South, we have also handled FEMA regulatory issues in Florida, California and South Carolina.

## Our Experience and Political Involvement

Our history in levee and drainage law expands our practice beyond traditional legal matters. Our attorneys are familiar with the unique engineering issues of levee and drainage districts, which allow us to add value by working closely with project engineers. In addition, we recognize the important role of legislators and regulatory department officials in providing access to federal programs and managing flood protection systems. We strive to foster positive working relationships between these officials and our clients.

## Transactions and Litigation

Attorneys in our group assist our public and private clients in all aspects of flood protection management. We routinely assist them in compliance with local, state and federal laws and regulations. We represent our clients in transactional and litigation matters, including trial and appellate practice.

## FEMA Assistance and Certification

Because we have represented levee districts for over 80 years, we have successfully represented our clients through history-making flood events and have guided them in obtaining FEMA emergency assistance, rehabilitation assistance and re-certification. Through experience and knowledge of federal law, we assist our clients and landowners in flood protected areas to comply with FEMA regulations. This is critical to utilize federal programs available to maintain flood protection, obtain flood insurance and secure property values, which is especially valuable in urban areas. We currently represent over 30 clients who are working with FEMA and the USACE with respect to FEMA's current remapping efforts. Through many years of hands-on legal

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experience working on behalf of numerous levee and drainage districts, we are uniquely qualified to handle any legal issue in this practice area.

## Assessment of Benefits

Since the Mississippi River flood of 1993, we have represented levee and drainage districts in reassessing the benefits (tax base) on nearly 50 occasions. We have developed a unique expertise in recognizing under-assessed properties and in assessing non-typical property that should be assessed. Through these benefit assessments, we have been able to generate substantial new sources of revenue for the districts which have been used to finance flood control projects.

## Representative Experience

We have represented and are currently representing clients in more than 35 existing and completed flood protection construction projects valued in excess of \$1 billion. For these matters, we have been and continue to be involved in every facet of the projects. We work with all federal and state regulatory agencies, and we work with engineering firms on value engineering. We also have handled project cost estimates.

- Represented clients in numerous financings for design and construction of flood protection systems, including 16 tax-exempt bond issuance transactions (since 1993)
- Created alternative financing opportunities using various forms of tax-based incentives in combination with public and private sector funding
- Won numerous cases benefiting flood protection interests, including In the Matter of Fabius River Drainage District, 35 S.W.3d 473 (Mo.App.E.D.2000) and In the Matter of Tri-County Levee District, 42 S.W.3d 779 (Mo.App.E.D.2001). These cases upheld special assessments for flood protection against the Missouri Highways and Transportation Commission.
- Provided legislative support by drafting, monitoring and commenting on new laws that affect our clients. We work directly with lobbyists who have been retained for this purpose, and our firm's lobbyists work at the state and federal level in Washington, D.C.
- Successfully brought suit against FEMA to invalidate its proposed maps decertifying one of the major levee systems in the country.
- Assisted numerous clients through the new Section 408 Regulatory Process Guidelines.

## Scope of Services

- Finding federal funding sources using legislative and administrative means
- Federal projects, working closely with the USACE on funding, design and construction
- Building consensus to support projects through communication with community leaders and residents
- Intergovernmental agreements with other public entities for development of flood control infrastructure
- Contract procurement through public bidding and negotiation
- Reducing right-of-way acquisition costs; for example, we worked closely with the USACE to develop standards to allow parking lots on seepage berms, saving our clients millions of dollars in right-of-way costs
- Reducing construction costs; for example, we recognized significant over-design in a levee project and worked with our client, the USACE, and the project engineer to modify the design, saving our client millions of dollars in project costs
- Creating new sources of revenue for construction and maintenance through the benefit assessment process
- Obtaining state and federal wetlands permits
- Structuring and procuring numerous tax-exempt bond issuances and other types of financing for flood control improvement
- Challenging FEMA deaccreditation decisions
- Assisting public and private companies with federal flood plain management regulations
- Coordinating successful levee certification programs and participation in PL 84-99
- Assuring accuracy of proposed updated flood maps



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- Emergency assistance claims and appeals for extraordinary costs and rehabilitation

## Memberships

- National Association of Flood and Stormwater Management Agencies (NAFSMA)
- National Coalition of Federal Flood Protection Partners
- Mississippi Valley Flood Control Association
- Missouri Levee and Drainage District Association
- Upper Mississippi, Illinois and Missouri Rivers Association (UMIMRA)

## Eminent Domain Experience

- Led negotiations to transfer ownership of land between four separate entities, all with eminent domain authority, to alleviate flooding, allow for public and private infrastructure investment and facilitate redevelopment.
- Top-Listed in Missouri in Eminent Domain and Condemnation Law with 4 attorneys. - *Best Lawyers* 2011 rankings
- Handled over 600 acquisitions on behalf of flood protection districts
- Within the past 12 months, in conjunction with a \$150,000,000 levee rehabilitation project, we led a team acquiring 200 separate parcels of land
- Represented a national developer of retail shopping centers seeking to acquire property in a development area by eminent domain. Missouri Supreme Court authorized the condemnation to proceed.
- Secured favorable decision that blocked the Southeast Missouri Regional Port Authority from using eminent domain to condemn 30 acres of private land owned by client. Ruling was first by state high court applying a 2006 Missouri law that barred condemnations "for solely economic development purposes."

## Labor & Employment Experience

Our labor and employment attorneys in Omaha are well-versed in all aspects of labor and employment law, including work on traditional labor issues. Our work here includes the "preventative" side of this practice area, including counseling and advising clients as issues arise, providing training to employees and supervisors on various issues, drafting policies, and strategic workforce planning. We have expertise in issues such as wage and hour disputes, discrimination allegations, harassment allegations, employment termination matters, maternity leave, overtime, sick leave and medical issues, Worker's Compensation and other like subject areas that are examples of work with which we are competent. Our work also includes administrative agency investigations, litigation, arbitration, mediation, and jury trials when employee problems do arise. We approach each client as a business partner, with a practical eye and attention to the bottom line impact of employment decisions, issues, and policies. Our attorneys here in the Omaha office have represented employers large and small, all over the country, including clients in the public and private sectors, and in various industries. We have been recognized locally and nationally for our level of expertise and client commitment, including for the last three years in *Chambers USA*.

## Pricing

Our attorneys customarily work on an hourly basis. We provide service to clients on a team basis, utilizing the lowest rate for each particular project.

It is anticipated that significant portions of our day-to-day work for the Papio-Missouri River NRD would be performed by David Newman (\$215/hour). Additional expertise would be utilized as needed, for example, levee and flood control specialist, Karin Jacoby, is \$260/hour.

We are willing to discuss a flat rate monthly retainer or other alternative billing arrangements, and our fees for this engagement are subject to negotiation.

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## Alternative Fee Arrangements

Our firm has a long track record of working with clients to reach agreements on mutually-beneficial alternative fees arrangements. These alternative arrangements are varied and tailored to our clients' needs, the area of law and the scope of the project. Some of the alternative fee arrangements utilized by our firm include:

- Flat fee for the case or project (with or without contingencies)
- Flat rate for legal time (regardless of whether work is performed by partner, associate or paralegal)
- Blended rates
- Combination of flat fee/flat rate for legal time/hourly rates, all in accordance with stated thresholds
- Performance-based fee (fee in part based on performance or outcome)
- Menu and portfolio pricing
- Guaranteed maximum fee (usually coupled with a performance based fee)
- Contingency fee (usually a sliding scale and coupled with other fee provisions)

We take pride in our willingness to be flexible in service to our clients. If there are other alternative billing arrangements you have in mind, or variations on the methods we have described, we will be happy to discuss them with you

## Other Factors to Consider

In addition to Karin Jacoby's attached biography, listed below is her experience relevant to the Papio-Missouri River Natural Resources District:

- Licensed engineer
- Civil Engineer with focus on water resources (familiar with hydrology)
- Expertise in civil engineering with an emphasis on water resources management
- Involved in Missouri River management
- 14 years of experience managing a \$600 million dollar waterways program for the City of Kansas City (more than 200 tracts of property were acquired under the Federal provisions for the Uniform Relocation Assistance and Real Property Acquisition Act) - included preparing documents for the court and testifying in court
- Significant work along the Missouri River (since 2001 –Executive Director of MOARC – Missouri and Associated Rivers Coalition) – long standing regional nonprofit focused on beneficial use of water and land related resources
- Member of charter committee for the Missouri River Recovery Implementation Committee (MRRIC)
- More than 25 years of experience interacting with FEMA and Corps of Engineers on a variety of projects at the district, regional and headquarters levels
- Regional waterways work in both urban and rural areas

## Husch Blackwell's Core Values:

- Client Focus
- High Performance
- Teamwork
- Trust & Integrity
- Firm Commitment & Enjoyment
- Professionalism & Community Service



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Our firm is committed to being deeply immersed in our client's industries, leading to a more innate understanding of your company's work and the competitive environment in which you operate. We pride ourselves on being flexible and are willing to work with our clients on solutions that are creative and cost-effective. We maintain technology that aids in keeping workflow moving and our responsiveness to clients highly effective. As our core values indicate, **client focus is our number one priority.**

## Value Proposition

Although we provide legal representation that equals or exceeds that provided by our peers in other top-100 sized law firms, we continue to offer hourly rates (and alternative rate arrangements) that are substantially lower than those charged by firms with the depth of expertise we have developed.

## Staffing and Cost Containment

A cornerstone of our philosophy is to utilize associates and paralegals, where feasible, to handle client projects. We strive to use lower billing personnel as frequently as possible, but in a manner commensurate with the level of expertise required for the project. Under this structure, one partner is assigned to review all work performed, resulting in a more efficient review process. Costs savings are passed directly to our clients.

## Matter and Management Reporting

We offer clients a range of secure, robust, state of the art technology and exceptional technical support services that promote collaboration and support the resolution of legal issues in a cost-effective manner.

We offer clients the use of secure, web-based collaboration sites. Our litigation teams use case management systems to provide a central location to manage documents related to a matter, including but not limited to, pleadings, depositions, plaintiff and defendant information, research, deadlines, reports and much more. These capabilities allow the firm to efficiently collaborate with clients and coordinate larger teams on a national scale. Extranet collaboration sites can also be used for document collaboration, case team rosters, calendars, reports, and much more. Our platform offers additional profile fields that allow the user to add notes, batch loading tools, calendar views, searching capabilities, and the capacity to add alerts and notifications.

## Efficient Budgeting Procedures

We routinely provide detailed budgets to regional and national clients and have substantial experience in consistently delivering high-quality legal representation within budgetary requirements on behalf of our clients.

We are sensitive to the fact that our partnering clients desire reporting that assists in their budgeting processes and preparation of other internal reports. We will follow your guidance regarding the types of reports you require, including life-of matter and annual budget forecasts. Your Client Relationship Manager will be responsible for developing with you and implementing your reporting procedures.

## Value-Added Services

We endeavor to build partnering relationships with our clients. To that end we offer a variety of services to our clients outside of billable hours.

## Training and Related Matters

For our partnering clients, we proactively identify opportunities for management and employee training programs and deliver such extra partnering type services at either no cost or at a flat rate, depending upon the level of effort and commitment involved. We believe that training provides opportunities to proactively address issues that have in the past, and may in the future, lead to difficulties. Our experience in partnering relationships has demonstrated that in formal, planned training meetings the participants are motivated to learn and are able to give proper focus and attention to the matters at hand.

In addition to personalized training sessions, our firm provides a variety of continuing education seminars and on-site education to in-house legal teams and associated business leaders related to hot legal topics, providing education and discussion of how these issues may impact your business and what your organization can do to be proactive.

We publish legal alerts and white papers to keep you abreast of the latest news and information on legal issues that impact your business. The firm also offers a number of legal blogs, which our attorneys make regular postings to relevant to current legal topics and court decisions.



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## Access to Research Resources

We maintain a complete array of legal research resources and have an expert staff of legal librarians and provide access to these resources directly through our librarians or attorneys.

**Technology Support Services:** We offer clients a range of secure, robust, state of the art technology and exceptional technical support services that promote collaboration and support the resolution of legal issues in a cost-effective manner. Examples include Case Management, Extranet Collaboration Sites, Scanning and Processing capabilities, sophisticated software and other related technologies.

**Project and Process Management Capabilities:** We are committed to applying project and process management principles to legal matters in order to enhance the delivery of legal services through increased efficiencies. To that end, our knowledge management team helps legal teams to analyze what clients consider valuable and help document and design workflows to reduce process inefficiencies.

## Audits

We often conduct audits of our client's business methods and policies for compliance with an applicable legal requirements in an effort to reduce exposure to liability. To the extent areas of concern are identified during the audit, we will prepare a proposed remedial plan. Because it is difficult to anticipate the amount of time any particular area may require, we typically employ a flat fee approach to these services. This allows our clients to anticipate expenses as well as prioritize areas of concern. We also find an audit of key areas within the first year of our relationship enables us to familiarize ourselves with your organization quickly and allows you to develop confidence that we understand your needs.

We certainly welcome any suggestions you may have of areas you wish to undergo such a review. Some examples are:

- FLSA audit including but not necessarily limited to, classifications and treatment of independent contractors and volunteers
- Intellectual property audit to determine rights, financial liability, misuse, and underutilized opportunities in IP
- Insurance coverage audit
- Real Estate audit to address taxation, risk management, and other issues
- Audit of document retention to ensure compliance with applicable state and federal law

## Ethical Standards

We are committed to ensuring that every attorney in our firm exhibits the highest level of professional ethical conduct. To that end, the firm established the Office of the General Counsel. Two Co-General Counsels and a Director of Risk Management work in conjunction with 14 firmwide ethics partners to ensure compliance with all state, federal and court specific Rules of Professional Conduct, including the Standards of Professional Conduct set forth by the SEC. They also supervise the firm's conflicts staff, who manage the firm's automated process for identifying and resolving conflicts of interest. The Office of the General Counsel holds regular in house training sessions on relevant ethics issues. The Office of the General Counsel also works closely with the firm's malpractice carrier to stay abreast of "best practice" recommendations in the area of loss prevention.

## Corporate Responsibility

We are currently developing a documented Environmental Policy/Environmental Management System, and we have already taken measures to:

- Reduce paper consumption (e.g. through double-sided printing, electronic communication and filing, etc.)
- Reduce energy use (e.g. by using energy efficient equipment (light bulbs, printers), and turning off computers and equipment overnight).
- Reduce air travel (e.g. through videoconferencing).
- Divert waste from landfill / increase recycling (e.g. by separating paper, cardboard or other recyclables such as bottles and cans from the general waste stream).

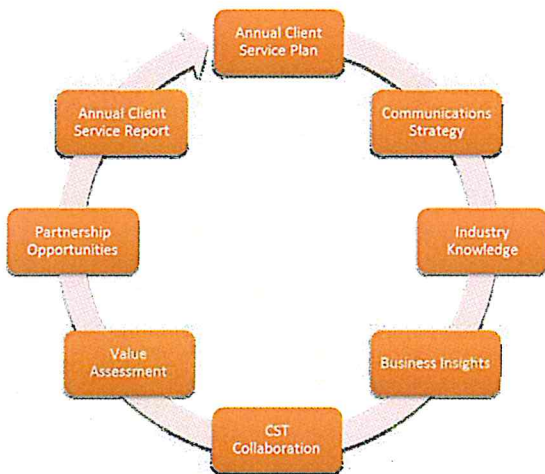


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## Client Service

It's one thing to talk about client service. We go beyond hyperbole and have a roadmap for partnering with clients to develop a process for delivering service on their terms and according to what they value. We begin with developing an annual (or key project) plan which includes establishing goals and milestones, creating client-specific custom reports and identifying assessment criteria upon which our performance will be judged.

We will be constantly evaluating our performance throughout the year to streamline and enhance our service, but we also work with you to evaluate how well we delivered on the goals we laid out at the beginning of our engagement. We then use this insight to further improve our service.



## Timely Response/Client Focused

Our attorneys all have access to technology that allows them to work from anywhere in the world. Our teams are structured so that clients are never left without access to a key team member who can provide responsive action in a timely fashion.

In 2013, Husch Blackwell was named to **The BTI Client Service 30** as one of the best law firms in the country for client service. Husch Blackwell was specifically recognized for being "a leader in anticipating client needs," in addition to 15 other areas.

## Diversity

We believe in the power of diversity and we recruit, develop, retain and promote talented attorneys and staff with diverse backgrounds and experiences. We believe that our inclusive environment enhances service to our clients, our profession and our community by building a workforce of professionals with varied backgrounds where individual differences are appreciated. Our diversity efforts have been recognized both nationally and locally in promoting diversity. Some of our honors include:

- Husch Blackwell is the largest law firm in the country with an African American Chairman. The Urban League of Greater Kansas City recognized the firm and Chairman Maurice Watson with its Difference Maker Award, honoring our firm's commitment to diversity and inclusion.
- In the 2013 Corporate Equality Index, administered by the Human Rights Campaign Foundation, we received a rating of 90 percent. The firm's high score reflects its commitment to equality.
- *Working Mother Magazine* and *Flex-Time Lawyers* selected Husch Blackwell as one of the "50 Best Law Firms for Women" in 2012. The firm was praised for its family-friendly policies and business development initiatives aimed at retaining women and advancing them into the leadership pipeline.

## Legal Research

We have an extensive database of relevant work product and research to which you would have access. You would only be charged for the attorneys' time in performing research and working on creating a customized work product for you. Also during the course of our representation of you, we expect that we will gain certain knowledge that will be useful on a repetitive basis. We will undertake to track our primary activities and work product for you so that a custom repository of information may be created. We expect that this individualized learning and work product database will lower your overall costs.

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## Travel

We have reviewed and agree to follow your budgeting guidelines regarding travel. It is our policy to not charge for attorney time in transit and to be economical in our travel selections. We have longstanding relationships with national merchants, affording us reduced fares and greater flexibility for air, hotel and ground transit selections.

## Deliveries

We will adhere to your policies regarding express mail and messenger services and will not charge for these services except when in accordance with your guidelines.

## Benefitting Clients and Communities

Like our clients, Husch Blackwell is a proud contributor to our communities. Our firm provides charitable contributions annually to more than 350 organizations and foundations throughout the regions where we have offices. Through volunteer service, our attorneys and professional staff help hundreds more.

We're committed to making our cities great places to live, work and play. That's why we support scores of local United Way agencies, Legal Services Corporation entities, and leading arts and culture organizations with our hands, our hearts and our wallets.



**Omaha, NE**

Direct: 402.964.5048

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[michaelle.baumert@huschblackwell.com](mailto:michaelle.baumert@huschblackwell.com)

**Industry**

Food & Agribusiness

**Related Services**

Animal Health

Class Action

Franchise & Distribution

Labor & Employment

Labor & Management Relations

## Michaelle L. Baumert

### PARTNER

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A member of the firm's Food & Agribusiness industry team, Michaelle concentrates her practice on labor and employment, class action and franchise vicarious liability litigation. She advises employers on federal and state employment and labor law compliance and has defended employers in federal and state litigation and administrative proceedings with favorable results.

Highlights of her food and agribusiness work in recent years include:

- Representing one of the nation's largest pork producers in its labor and employment matters.
- Defending administrative charges and federal litigation for a large convenience store chain.
- Representing a large full-service dairy in federal litigation matters.

Michaelle also has represented employers in National Labor Relations Board (NLRB) proceedings, in efforts to combat union organizing campaigns and in collective-bargaining agreements.

**Representative Experience**

- Counseled one of the nation's largest pork producers in labor and employment matters.
- Represented grocery chain in labor and employment and public accommodations matters.
- Defended administrative charges and federal litigation for a large convenience store chain.
- Represented full-service dairy in federal litigation matters.
- Training and counseling for large food-service franchisors on vicarious liability prevention.
- Defended a small food products manufacturer with favorable results in a sex discrimination/sexual harassment case through jury trial and state appeals court.

**Awards & Recognitions**

- *Chambers USA*, Labor & Employment Law, 2011-2013

**Professional Associations & Memberships**

- American Bar Association, Forum on Franchising
- Iowa State Bar Association
- Nebraska State Bar Association
- Omaha Bar Association

**Civic Involvement**

- U.S. Commission on Civil Rights, Nebraska Advisory Committee, 2010-present

## **Admissions**

- Nebraska, 1996
- Iowa, 2010
- U.S. District Court, District of Iowa, 2010
- U.S. District Court, District of Nebraska, 1996
- U.S. Court of Appeals, Eighth Circuit

## **Education**

- J.D., University of Nebraska College of Law, 1996  
American Jurisprudence Award, Legal Writing
- B.A., University of Nebraska-Lincoln, with distinction, 1993  
Phi Beta Kappa





## Harold "Hal" Daub

### PARTNER

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Across more than four decades of public service, dedication to the community and professional achievements, Hal is one of the most highly regarded attorneys in Nebraska.

Before completing two terms as the mayor of Omaha, he served four terms in the U.S. House of Representatives, with positions on the House Ways and Means, Public Works and Transportation, Government Operations, and Small Business Committees. He also was a board member for the U.S. Conference of Mayors, the National League of Cities and Omaha's Metropolitan Entertainment and Convention Authority. In November 2012, he was elected to the University of Nebraska Board of Regents.

Hal is a member of the Healthcare, Life Sciences & Pharmaceuticals industry team. He represents a multistate pharmacy benefits management company, an electronic hospital-discharge company, a 50-state home healthcare franchise company, a nursing home operator in Nebraska and Iowa, a business that distributes wholesale pharmaceutical products to nursing homes and statewide nursing and chiropractic physicians' trade associations. He advises on legislative and administrative strategies and issues, such as corporate structure analysis, federal healthcare compliance and major federal tax legislation. In addition, he has authored numerous publications on Social Security and has frequently spoken on healthcare public policy.

Hal's extensive community service illustrates his commitment to the healthcare field:

- Active in the Nebraska chapter of the American Heart Association since 1968, Hal has been President and Chair of the Board of Directors. In 2012, he and his wife oversaw the annual Heart Ball, which raised more than \$400,000.
- He has been on the Board of Directors for Community Health Charities of Nebraska since 1979 and served on many national committees for the umbrella organization, Community Health Charities of America.
- Individually or together with his wife, Hal has chaired organizational efforts for the Multiple Sclerosis Society, the American Diabetes Association, the Alzheimer's Association and Essential Pregnancy Services of Omaha.

### Awards & Recognitions

- American Diabetes Association, Father of the Year, 2011
- Grand Masonic Lodges of Nebraska, Humanitarian Award, 2004
- Jaycees, Outstanding Young Omahan, 1975
- Mid-America Council, Boy Scouts of America, Citizen of the Year, 2003, 2012
- National Associated Businessmen, Watchdog of the Treasury Awards, 1981-1989
- National Federation of Independent Business, Guardian of Small Business Awards, 1981-1989
- Nebraska Reserve Officers, Minuteman of the Year, 1985
- Nebraska Society Distinguished Nebraskan Award, 2005

### Omaha, NE

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### Industry

Healthcare, Life Sciences &  
Pharmaceuticals

### Related Services

Hospitality  
Intellectual Property  
Public Policy, Regulatory & Government  
Affairs  
Tax

- Omaha Chamber of Commerce, Business Hall of Fame, 2004
- Outstanding Young Nebraskan, 1964
- Silver Beaver Award, 2004; Distinguished Eagle Scout Award, 2000
- Toastmasters International, Communication & Leadership Award, 2005
- U.S. Congress, Peace Through Strength Awards, 1981-1989
- Washington University in St. Louis, Founders Day Distinguished Alumni Award, 2012
- *Who's Who in America*, 1981-present
- *Who's Who in American Politics*, 1981-present

### **Professional Association & Memberships**

- Alpha Kappa Psi Professional Business Fraternity, Alumni President's Council
- American Health Care Association, President and Chief Executive, 2004-2005
- American Judicature Society
- Association of Government Accountants
- Council on Excellence in Government, Principal
- Metropolitan Entertainment and Convention Authority (Omaha), Board of Directors, 2002-2006
- National Advisory Commission on Public Service
- National League of Cities, Board of Directors, 1997-1999
- Nebraska State Bar Association
- Nebraska State Bar Foundation, Fellow
- Omaha Bar Association
- Republican Mayors and Local Officials of the United States, President, 1995-2000
- Social Security Advisory Board, Chair, 2002-2006
- U.S. Conference of Mayors, Advisory Board, 1997-2001

### **Civic Involvement**

- 33rd Degree Mason, Scottish Rite, Shrine, York Rite Mason, 1995
- 40 & 8 Voiture 206
- Air Force Association
- American Heart Association, Nebraska affiliation
- American Legion Post 112
- Autism Action Partnership, Board of Directors, 2009-present
- Community Health Charities of America, Chair, 2006; National Board of Directors, 2002-2010
- Durham Western Heritage Museum
- Eagles Aerie 154
- Fatherhood Family Initiative, Board of Directors, 2003-present
- Fontenelle Forrest Association
- Freedoms Foundation, Board of Directors, 1998-2006
- Friend of the Scottish Rite, 2012



- Friendship Force
- Great Plains Black Museum, Board of Directors, 2001-2004
- Humane Society and Friends Forever
- Kappa Sigma, Delta Theta Phi and Alpha Kappa Psi Alumni Associations
- Madonna School for Exceptional Children
- Mid-America Council, Boy Scouts of America, Executive Committee, Vice Chair, Trustee, 2001-present
- Multiple Sclerosis Society
- Nebraska Diplomats
- Nebraska Lodge 1, York and Scottish Rite Masonic Orders
- Nebraska Republican Party, National Committee
- Optimist International
- Performing Arts Society
- Presbyterian Church, Elder
- Reserve Officers Association
- Salvation Army, Tree of Lights Campaign, Vice-Chair, 2010; Chair, 2011-2012
- Sister Cities Association
- St. Peter Claver Cristo Rey High School, Board of Directors, 2002-2008
- University of Nebraska, Board of Regents, 2012-present
- University of Nebraska-Omaha, Development Committee
- United Way/CHAD Division, Chair, 1978-1980
- Veterans of Foreign Wars Post 2503
- Washington University Alumni Association

### **Admissions**

- Nebraska, 1966
- U.S. District Court, District of Nebraska, 1966
- U.S. Court of Appeals, Eighth Circuit, 1966
- U.S. Supreme Court, 1988
- U.S. Court of International Trade, 1970

### **Education**

- J.D., University of Nebraska College of Law, 1966  
Delta Theta Phi Law Fraternity, Outstanding Student in the Nation
- B.S., Business Administration, Washington University in St. Louis, 1963  
Omicron Delta Kappa Leadership and Scholastic Honorary Society

### **Publications & Presentations**

- Co-author, "Kicking debt down the road irresponsible to future generations," *Omaha World-Herald*, May 2013
- Speaker, Building Blocks of Omaha Celebration, Omaha, Neb., June 2012
- Speaker, White House Conference on Aging, keynote speaker and delegate, 2005

# HUSCH BLACKWELL



## Omaha, NE

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[mike.degan@huschblackwell.com](mailto:mike.degan@huschblackwell.com)

## Industry

Energy & Natural Resources

## Related Services

Business Litigation

Insurance

Product Liability

Renewable Energy

## Michael S. Degan

### PARTNER

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A litigator on Husch Blackwell's Energy & Natural Resources team, Mike handles litigation and regulatory matters for industry clients. A first-chair trial lawyer in his 20<sup>th</sup> year of practice, Mike has appeared in more than two dozen state and federal jurisdictions on behalf of clients.

His industry-related experience includes:

- Representing publicly traded ethanol producer in national litigation matters.
- Representing privately owned ethanol producer in financing and construction litigation.
- Representing privately owned ethanol producer in litigation involving commodities contracts for inputs and disputes involving ethanol marketing contracts.
- Defending litigation stemming from gas peaking unit shutdown because of turbine system failure.
- Representing natural gas producer in Iowa litigation challenging state tax refunds.
- Securing state regulatory approval for a \$350 million wind energy project in Nebraska.
- Advising renewable energy clients regarding state and federal regulatory requirements.

With a strong background in commercial litigation, product liability and insurance coverage litigation, Mike routinely handles disputes in other industries.

### Representative Experience

- National coordinating counsel for welding industry trade association in welding fume product liability claims.
- Won jury verdict for Texas-based Federal Emergency Management Agency (FEMA) consulting firm, sued in Nebraska state court by subcontractor for damages in excess of \$500,000 for breach of contract and promissory estoppel.
- Won jury verdict for an agribusiness client in seven-figure commercial dispute tried in U.S. District Court, District of Nebraska.
- Won summary judgment for insurer on coverage and bad faith claims filed in Nebraska state court.
- Obtained favorable result for organic beef packaging client in defense of unfair competition and breach of contract action seeking injunctive relief from U.S. District Court, District of South Dakota.
- Won jury verdict on behalf of supermarket chain sued in Nebraska state court by landlord seeking \$16 million in commercial lease dispute.
- Won defense verdict in product liability lawsuit brought in Nebraska state court seeking more than \$500,000 for damage to hotel roof.
- Won summary judgment in favor of an insurer on coverage and bad faith claims in U.S. District Court, District of Colorado.



- Represented pharmaceutical manufacturers in negotiated settlements with Nebraska attorney general relating to product marketing and pricing issues.
- Recovered more than \$9.5 million in assets on behalf of the Nebraska Department of Insurance in multiple actions filed in the liquidation of a Nebraska domiciled insurance company.
- Won defense verdict in Nebraska state court for trustee in a breach of fiduciary duty case seeking to recover more than \$240,000.
- Won summary judgment in U.S. District Court, District of Nebraska, for animal pharmaceutical manufacturer sued by competitor alleging unfair trade practices seeking \$12 million in damages and injunctive relief.
- Managed regulatory issues for Las Vegas casino operator relating to \$777 million proposed project in Kansas.

### **Awards & Recognitions**

- *Benchmark Litigation*, Future Star, 2010-2014
- *The Best Lawyers In America*, Commercial Litigation, 2013-2014
- *Chambers USA*, Litigation: General Commercial Law, 2009-2013
- *Great Plains Super Lawyers*, Business Litigation, 2009-2013
- Litigation Counsel of America, fellow, 2013-present
- Nebraska State Bar Foundation, fellow, 2011-present
- Martindale-Hubbell AV Preeminent

### **Professional Associations & Memberships**

- Defense Research Institute
- Nebraska Association of Defense Counsel
- Nebraska Insurance Federation
- Nebraska State Bar Association
- Omaha Bar Association, Public Service Committee, 2004-present

### **Admissions**

- Nebraska, 1994
- U.S. District Court, District of Nebraska, 1994
- U.S. Court of Appeals, Eighth Circuit, 1997
- U.S. Supreme Court, 2002
- U.S. Court of Federal Claims, 2003

### **Education**

- J.D., Creighton University School of Law, *cum laude*, 1994  
American Jurisprudence Award for Trial Advocacy, 1993  
*Creighton Law Review*, student articles editor, 1993-1994
- B.A., Creighton University, 1990

### **Publications & Presentations**

- Author, "Fume Trial Win Underscores Need for Indemnification Agreements," *Welding & Gases Today*, summer 2010

- Author, "Adding the First Amendment to the Fire: Cross Burning and Hate Crime Laws," 26 *Creighton Law Review* 1109, 1993
- Contributing author, *Welding & Gases Today*, 2006-present
- Editorial Board, *The Nebraska Lawyer*, 2000-2003



# HUSCH BLACKWELL



## Tim W. Gay

### SENIOR ADVISOR

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Tim brings broad experience in governmental affairs to his position as a Senior Advisor. Before joining the firm, Tim represented the 14th Legislative District in the Nebraska Unicameral Legislature from 2006 to 2010. As state senator, Tim worked to help pass many important health and human services bills. He also advocated for several pieces of legislation, including the promotion of tax credits for economic development programs and the enhancement of the tax deduction to the Nebraska Savings Plan.

Tim has held leadership positions on several committees. He was one of three members of the Nebraska Legislature to be chosen to the Council of State Governments Bowhay Leadership Institute for future political leaders.

Tim also served as a financial advisor and community development officer for American National Bank from 1999 to 2010. He was named "Business Partner of the Year" by American National Bank senior management in 2004.

From 1995-2006, Tim was a Sarpy County commissioner, where he was elected to leadership positions on numerous times.

#### Omaha, NE

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#### Industry

Healthcare, Life Sciences &  
Pharmaceuticals

#### Related Services

Public Policy, Regulatory & Government  
Affairs

#### Awards & Recognitions

- Attorney General's Legislative Leadership Award, 2010
- MAPA Regional Citizen Award, 2009
- Political Official of the Year, Sarpy County Chamber of Commerce, 2008

#### Professional Associations & Memberships

- Metropolitan Area Planning Agency, Foundation and Economic Development District, Governing Board, 2010-present
- Nebraska Association of County Officials, Southeast District, President, 1999-2000
- Nebraska Republican Party, Outstanding State Central Committee
- Nebraska Unicameral Legislature
  - Health and Human Services Committee, Chair, 2009-2010; Vice Chair, 2006-2008
  - Banking Insurance and Finance Committee, 2006-2008
  - Transportation and Telecommunications Committee, 2008-2010
  - Council of State Government's Commerce, Insurance and Economic Development Task Force, 2007-2010
  - Midwestern Legislative Conference Health and Human Services Committee, 2007-2010
  - National Conference of State Legislature's Health and Human Services and Welfare, 2007-2010
  - National Conference of State's Legislature's Communication, Financial Services and Interstate Commerce Committee, 2007-2010
  - Nebraska Supreme Court Commission on Children in the Courts, 2008-2010
- Omaha Public Power District (OPPD), Suburban Subdivision, Board of Directors, 2013-present

### **Civic Involvement**

- Boy Scouts of America, Friends of Scouting, Sarpy County Chairman, 1998
- Eastern Nebraska Human Services Agency, 1995-2001; President, 1998
- I-80 Innovation Zone
- Nebraska Families Collaborative, Board of Directors, 2012-present
- Papillion Area Historical Society, President, 2011-present
- Papillion-La Vista School District, Bond Committee, Co-chair, 2012
- Sarpy County Chamber of Commerce, Board of Directors, 2010-present
- St. Columbkille Church, Finance Committee, 2004-2008

### **Education**

- B.S., Business Administration, University of Nebraska-Lincoln, 1987





## Steve Grasz

### PARTNER

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From growing up on his family's diversified grain and livestock farm in the Nebraska panhandle to serving as the state's Chief Deputy Attorney General, Steve has devoted both his personal and professional career to advancing American agriculture. For more than two decades, he has focused his practice on business litigation, governmental affairs, governmental ethics and election law, and appellate litigation. His experience includes litigation in the U.S. Supreme Court, the U.S. Court of Appeals, Eighth Circuit, and the Nebraska Supreme Court.

Steve's agribusiness experience has included:

- Challenging restrictions on ownership of agricultural real estate and livestock in a landmark Commerce Clause case.
- Appealing a real estate boundary dispute before the Nebraska Court of Appeals.
- Representing Butler County Ethanol, ConAgra, Del Peterson & Associates auction company, E Energy Adams LLC ethanol, Greater Omaha Packing Co., Power Genetics cattle breeders and Southwest Iowa Renewable Energy in numerous matters.

His deep knowledge of the industry is further displayed in his numerous published articles and presentations.

While serving in Nebraska's Office of Attorney General from 1991 to 2002, Steve represented the state in the national tobacco settlement in which it received \$1.165 billion, the largest settlement in state history. He was responsible for oversight of "Initiative 300" matters on agricultural-ownership restrictions and legal opinions on agricultural topics. He also served as legal counsel to the Nebraska Corn Board, Nebraska Ethanol Board and the Nebraska Dry Bean Commission and worked extensively on interstate water litigation.

Steve previously served as a legislative assistant for agricultural policy and credit issues to U.S. Rep Virginia Smith of Nebraska. In that role he was instrumental in the addition of the shelter-belt, tree-planting provision to the conservation portion of the 1985 farm bill.

### Representative Experience

- Authored briefs in 10 cases in the U.S. Supreme Court. Counsel of record in *Stenberg v. Carhart*, 530 U.S. 914.
- Challenged long-standing state constitutional provision restricting ownership of agricultural land under the Commerce Clause in federal district court and U.S. Court of Appeals, Eighth Circuit. *Jones v. Gale*, 470 F.3d 1261
- Defended state ethanol tax credits.
- Appealed a real estate boundary dispute.
- Defended business incentive legislation.
- Appealed campaign practices fine.
- Challenged a state campaign finance statute restricting independent committee expenditures.

### Omaha, NE

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### Industry

Food & Agribusiness

### Related Services

Public Policy, Regulatory & Government  
Affairs

Business Litigation

Appellate

Governmental Ethics & Election Law

- Challenged proposed constitutional amendment authorizing video slot machines.
- Defended constitutional challenge to Nebraska adoption statute.
- Challenged statute restricting petition circulation.
- Argued a rare *en banc* appeal in the U.S. Court of Appeals, Eighth Circuit.
- Challenged statute restricting political party nominations.
- Challenged natural gas main extension on behalf of investor-owned utility.
- Defended jury award in breach of contract case.

### **Awards & Recognitions**

- *The Best Lawyers In America*, Appellate Practice, 2012-2014
- Martindale-Hubbell AV Preeminent

### **Professional Associations & Memberships**

- The Association of the Bar of the U.S. Court of Appeals for the Eighth Circuit
- Nebraska State Bar Association, Fellow; Government Practice Section, Executive Board, 1997-2001
- Omaha Bar Association
- Robert Spire American Inn of Court, 2008-present

### **Civic Involvement**

- Community Health Charities of Nebraska (CHC-NE), Board of Directors, 2004-2007
- Gambling with the Good Life, Advisory Board, 2006-present
- Grace University Foundation, Board of Directors, 2003-2009
- K-Life Omaha, Board of Directors, 2008-2011
- Leadership Omaha, 2010-2011
- Nebraska Republican Party, Legal Counsel, 2007-present

### **Admissions**

- Nebraska Supreme Court, 1989
- U.S. District Court, District of Nebraska, 1989
- U.S. Court of Appeals, District of Columbia Circuit, 1992
- U.S. Court of Appeals, Eighth Circuit, 1991
- U.S. Supreme Court, 1994
- U.S. Court of Federal Claims, 2004

### **Education**

- J.D., University of Nebraska College of Law, *cum laude*, 1989  
Order of the Coif  
Moot Court Awards for Top Oralist and Best Brief  
*Nebraska Law Review*, Executive Editor



- B.S., University of Nebraska-Lincoln, *cum laude*, 1984  
Agriculture Honors Program  
Farmhouse Fraternity, President  
Innocents Society

## **Publications & Presentations**

- Author, "Judicial Selection in Nebraska," *The Federalist Society*, April 2012
- Author, "Busting Four Myths of the Food vs. Fuel Debate," *The Gusher*, Volume 75, Number 3, 2008
- Author, "Opinions of the Attorney General," more than 80 official opinions (available on Westlaw), 1991-2002
- Co-author, "Tobacco Litigation and Legislation," *Head & Neck* 643, October 2000
- Author, "If Standing Bear Could Talk ... Why There Is No Constitutional Right to Kill a Partially Born Human Being," 33 *Creighton Law Review* 23, 1999
- Author, "Child Pornography and Child Nudity: Why and How States May Constitutionally Regulate the Production, Possession and Distribution of Nude Visual Depictions of Children," 71 *Temple Law Review* 609, 1998
- Author, "Critical Facts and Free Speech: The Eighth Circuit Clarifies Its Appellate Standard of Review for First Amendment Free Speech Cases," 31 *Creighton Law Review* 387, 1998
- Author, "The Conservation Reserve Program: 1990 and Beyond. Legislative and Administrative Proposals to Enhance Long-Term Environmental and Economic Benefits from the Conservation Reserve Program," 69 *Nebraska Law Review* 697, 1990
- Speaker, "Ethanol – America's Leading Alternative Fuel," National Association of Attorneys General President's Initiative on Energy, 2008
- Speaker, "Livestock Confinement Facilities: A Rose by Any Other Name?" Nebraska Continuing Legal Education seminar, October 1999



## David R. Human

### PARTNER

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Practicing primarily in the areas of governmental relations, public finance and construction and real estate law, David provides specialized guidance in acquisition, condemnation and land-use issues. His core counseling encompasses levee and flood control matters, with representation of public entities in the planning, financing and construction of public infrastructure and flood-control systems. David uniquely understands the legal and legislative issues surrounding levee and drainage facilities and the entities that build and manage them.

He has represented clients before numerous federal, state and local agencies and before public bodies, including:

- The Federal Emergency Management Agency (FEMA)
- The U.S. Army Corps of Engineers
- The Environmental Protection Agency

For approximately 12 years, David served as the executive director for the Monarch-Chesterfield Levee District, a federal flood-control project established in 1947 that protects 4,240 acres of commercial and retail development in St. Louis County. David continues his dedication to flood protection in the region as legal counsel for the Monarch-Chesterfield Levee District, as well as for more than 30 other flood protection projects throughout the Midwest. He handles a wide variety of governmental relations, construction, public finance and real estate matters for these clients, including land acquisition and condemnation.

In acknowledgment of his deep understanding of levee and flood control issues, David has spoken at gatherings for a number of prestigious groups, including the U.S. Army Corps of Engineers, the American Society of Civil Engineers, the Society of American Military Engineers, the Upper Mississippi, Illinois & Missouri Rivers Association (UMIMRA) and the Missouri Levee & Drainage District Association (MLDDA).

### Representative Experience

- Brought a lawsuit against FEMA to invalidate its proposed maps decertifying one of the major levee systems in the country.
- Led a team in representing more than 35 existing and completed flood protection construction projects valued in excess of \$1 billion. For these matters, continue to be involved in every facet of the projects – working with all federal and state regulatory agencies, working with engineering firms on value engineering, and handling project cost estimates.
- Led a team in representing clients in numerous financings for design and construction of flood-protection systems (including tax-exempt bond issuance transactions) worth a combined total of more than \$300 million.
- Represented levee and drainage districts on more than 50 benefit reassessments that identified under-assessed properties and in assessing atypical property that should be assessed. These reassessments generate substantial new sources of revenue for the districts, which have been used to finance flood control projects.
- Won numerous cases benefiting flood protection interests, including those that upheld special assessments for flood protection against the Missouri Highways and Transportation Commission.

### St. Louis, MO

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### Industry

Real Estate, Development & Construction

### Related Services

Levee & Flood Control

Public Finance



- Led numerous teams acquiring right of way for large infrastructure projects representing more than 1,000 properties.

### **Professional Associations & Memberships**

- The Bar Association of Metropolitan St. Louis
- Chesterfield Valley Coalition, Board of Directors, 2000-current
- The Illinois Bar
- The Missouri Bar
- Missouri Levee & Drainage District Association
- St. Louis County Bar Association, President, 1997
- Upper Mississippi, Illinois and Missouri Rivers Association

### **Civic Involvement**

- Missouri Department of Economic Development, Infrastructure Implementation Team, 2012

### **Admissions**

- Missouri, 1985
- Illinois, 1986

### **Education**

- J.D., Saint Louis University School of Law, 1985  
Phi Delta Phi, President
- B.A., Mathematics, Vanderbilt University, 1981

# HUSCH BLACKWELL



## Kansas City, MO

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## Industry

Real Estate, Development & Construction

## Related Services

Construction & Design

Development Incentives & Tax Credits

Federal Government Affairs & Lobbying

Land Use

Levee & Flood Protection

Public-Private Partnerships (P3)

Public Policy, Regulatory & Government  
Affairs

## Karin M. Jacoby, P.E.

### SENIOR COUNSEL

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With a unique combination of engineering acumen and legal savvy, Karin advances the interests of communities, companies, owners and operators that confront flood, water supply and stormwater management challenges. She is effective at building consensus among stakeholders with diverse interests and interacting effectively with national policy-makers. When advising on water resource matters, Karin offers an integrated approach that coordinates across geographic and agency boundaries, evaluating opportunities and potential effects from a system perspective.

Karin's representative experience includes:

- Directing a \$600 million flood damage-reduction program.
- Developing a levee-system improvement plan for a district along the Missouri River.
- Managing large-scale multipurpose infrastructure projects in cooperation with public agencies, private companies and nonprofit organizations.
- Engineering for multiple public and private site developments.

Karin serves as the executive director of the Missouri and Associated Rivers Coalition (MoArc). This long-standing nonprofit organization was formed in the aftermath of the 1951 floods to advocate for flood control and water conservation in the Midwest and continues with that mission today. For more than 10 years, Karin has led trips to Washington, D.C., that allowed stakeholder representatives to connect with members of Congress, their staff and relevant committees, and federal agencies to present priorities and positions on water resource issues.

Following the 2005 hurricane season and the devastation wrought by Katrina, Wilma and Rita, more than \$120 billion in damages and 2,000 dead, Congress directed establishment of the National Committee on Levee Safety. Karin was appointed to the committee by the Assistant Secretary of the Army for Civil Works and continues to serve in this capacity. She was also selected by the National Research Board to serve on the National Academy of Sciences levee committee that made recommendations to the Federal Emergency Management Agency (FEMA) on improving policies and practices related to risk-based treatment of levees in the National Flood Insurance Program.

Prior to founding SPICA Consulting LLC, an engineering and flood-risk management firm in 2009, Karin was employed by Kansas City, Mo., where she worked in the city's Public Works' Development Services/Special Projects division and then in Water Services managing the Waterways Division. She is a registered Professional Engineer in Missouri and Illinois.

### Representative Experience

- Provided leadership for a waterways program comprising 25 miles of flood damage reduction projects, integrating "green solutions" and recreation improvements to promote sustainability and generate economic development.
- Led negotiations to transfer ownership of land between four separate entities, all with eminent domain authority, to alleviate flooding, allow for public and private infrastructure investment and facilitate redevelopment.
- Prepared a levee-system improvement plan in accordance with the U.S. Army Corps of Engineers systemwide improvement framework policy that led to reinstatement in PL84-99 and federal repair of flood damaged levees.



- Developed recommendations to Congress for a national levee-safety program and to the Federal Emergency Management Agency (FEMA) for risk-based treatment of levees in the National Flood Insurance Program.
- Designed and managed multiple-site development, stormwater/drainage and transportation projects, including work at the Cahokia Mounds historical site in Illinois and along Brush Creek in Kansas City, Mo.
- Served as site engineer at the Spirit of St. Louis Airport in 1993, guiding emergency grading and drainage operations that allowed hangars and runways to reopen after flood.

### **Awards & Recognitions**

- Kansas City Industrial Council, Brick by Brick Award, 2002, 2008; Progress Award, Leadership in Improving Waterways, 2009
- Planned Industrial Expansion Authority, Partnership Award, 2002-2003
- U.S. Army Corps of Engineers-Headquarters, Commander's Award for Public Service, 2009
- U.S. Army Corps of Engineers-Kansas City District, Official Commendation for Partnering, 2003

### **Professional Associations & Memberships**

- Kansas City River Trails, Board of Directors, 2005-present
- Missouri and Associated Rivers Coalition (MoArc), executive director, 2001-present
- The Missouri Bar
- National Honor Society for Public Affairs and Administration, 1999-present
- National Waterways Conference, Board of Directors, 2008-2012; Legislative Policy Committee, 2008-present

### **Admissions**

- Missouri, 2006

### **Education**

- J.D., University of Missouri-Kansas City School of Law, 2006
- M.P.A., University of Missouri-Kansas City, 1999
- B.S., Civil Engineering, University of Missouri-Rolla, 1985

### **Publications & Presentations**

- Co-author, *Levees and the National Flood Insurance Program: Improving Policies and Practices*, 2013
- Co-author, "Turning the Blue River Green," *Civil Engineering*, December 2012
- Co-author, *Recommendations for a National Levee Safety Program: A Report to Congress from the National Committee on Levee Safety*, 2009
- Speaker, "Fighting the Flood: Current Political, Regulatory and Financial Challenges for Levee Owners," Kansas City, Mo., January 2013
- Speaker, briefing to Congress on 2011 flooding of Mississippi and Missouri Rivers, Washington, D.C., July 2012
- Speaker, "Recommendations for a National Levee Safety Program," Fort Bend Flood Management Association, Sugarland, Texas, June 2011

**Kansas City, MO**

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**Industry**

Healthcare, Life Sciences &  
Pharmaceuticals

**Related Services**

Labor & Employment  
Alternative Dispute Resolution  
OFCCP Compliance  
Labor & Management Relations

## Mary Elizabeth "Molly" Kurt

### OF COUNSEL

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Molly is a labor and employment attorney within the firm's Healthcare, Life Sciences & Pharmaceuticals industry group. She is also skilled at alternative dispute resolution. She counsels clients through numerous audits and compliance checks by the Office of Federal Contract Compliance Programs and helps clients avoid potential affected-class findings with the agency. She has represented the full spectrum of industries in this regard, including healthcare clients BJH Health System, Saint Luke's Health System, Children's Mercy Hospital, Springfield Clinic, Oxford Health Care, CoxHealth, Olathe Medical Center and SCL Health System.

In addition, Molly litigates cases alleging discrimination and retaliation under state and federal law with favorable results. She negotiates collective bargaining agreements for private and public sector employers, develops union avoidance strategies and defeats union organizing campaigns for hospital systems. She also prepares affirmative action plans and provides ongoing compliance and strategic advice.

**Professional Associations & Memberships**

- The Missouri Bar, Labor Law Committee, 1993-present

**Civic Involvement**

- The Bacchus Foundation, President, Board of Directors, 2001
- Young Friends of the Children's Center for the Visually Impaired, Secretary, Board of Directors, 1999-2001

**Admissions**

- Missouri, 1991
- Kansas, 1992
- U.S. District Court, District of Kansas, 1992
- U.S. District Court, Western District of Missouri, 1991
- U.S. Court of Appeals, Fifth Circuit, 1993
- U.S. Court of Appeals, Eighth Circuit, 1997

**Education**

- J.D., University of Missouri-Kansas City School of Law, 1991  
*UMKC Law Review*, Articles Editor
- B.A., University of Michigan, 1987

**Publications & Presentations**

- Author, "Waivers Under the Age Discrimination in Employment Act," *UMKC Law Review*, 1991





## Omaha, NE

Direct: 402.964.5098

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[david.newman@huschblackwell.com](mailto:david.newman@huschblackwell.com)

## Services

Business Litigation

Government Contracts

## David M. Newman

### ASSOCIATE

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Dave's practice focuses on resolving disputes arising from commercial and government contracts. He has represented clients in business disputes involving contract actions, fraudulent conduct and claims with government entities. Dave has handled matters in the state and federal courts of Nebraska and Iowa. He also is experienced in conducting negotiations and mediations, as well as the arbitration process of the Financial Industry Regulatory Authority Inc. (FINRA).

Before joining the legal profession, Dave served in the U.S. Army as an infantry and military intelligence officer.

### Representative Experience

- Secured summary judgment for client resulting in award of 100 percent of client's contract damages.
- Second-chaired week-long jury trial in federal court that resulted in a complete verdict for client for claims seeking more than \$1 million in damages.
- Second-chaired state bench trial that resulted in 100 percent award of client's contract damages.

### Professional Associations & Memberships

- Iowa State Bar Association
- Nebraska State Bar Association
- Sarpy County and Bellevue Chambers of Commerce

### Civic Involvement

- Sarpy County Historical Society, Board of Directors, 2011-present

### Admissions

- Nebraska, 2011
- Iowa, 2010
- U.S. District Court, Northern District of Iowa, 2011
- U.S. District Court, Southern District of Iowa, 2011
- U.S. District Court, District of Nebraska, 2011

### Education

- J.D., Creighton University School of Law, *magna cum laude*, 2010  
Order of Barristers  
Alpha Sigma Nu
- B.A., International Studies, Creighton University, *cum laude*, 2001  
Pi Sigma Alpha Political Science Honor Society
- A.A., Kemper Military School and College, *magna cum laude*, 1999

### **Clerkships**

- Judicial Intern, The Hon. Laurie Smith Camp, U.S. District Court, District of Nebraska, 2009

### **Publications & Presentations**

- Speaker, "Status Challenges in Federal Contracting," Women Owned Construction Consortium, Omaha, Neb., March 2013





## Todd A. Richardson

### PARTNER

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Todd regularly advises clients on mergers and acquisitions, federal and state securities law compliance (specifically regarding private securities transactions), and financing transactions. His practice focuses on the food and agribusiness and real estate and development industries.

In his real estate and development practice, Todd has a particular expertise in the representation of real estate fund sponsors in capital formation and securities compliance matters. He also regularly represents lenders and borrowers in commercial mortgage loan transactions. Todd also has represented one of Omaha's premier residential construction companies since its inception on a full range of matters, including land acquisition and development, drafting of construction and design contracts, and general business matters.

In his food and agribusiness practice, Todd advises a national restaurant franchisee on a full range of business concerns, works with food processors on supply agreements and compliance issues and with cattle producers on feedlot/cattle feeding agreements, feedlot acquisitions, securities compliance for cattle feeding operations, and grain and cattle marketing agreements.

Todd also regularly represents entrepreneurial stage companies with respect to financing, securities and general corporate issues. He is a member of the firm's Partner Board and the managing partner of the Omaha office.

### Omaha, NE

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### Industry

Real Estate, Development & Construction

### Related Services

Corporate Real Estate

Investment Real Estate

### Awards & Recognitions

- *The Best Lawyers In America*, Corporate Law, Mergers & Acquisitions Law, 2006-2014
- *Chambers USA*, Corporate/Commercial Law, 2010
- *Great Plains Super Lawyers*, Mergers & Acquisitions, 2009-2010
- *Midlands Business Journal*, "40 Under 40," 2003
- National Multiple Sclerosis Society, Corporate Achievers Award, 2002

### Civic Involvement

- Calvary Chapel West Omaha, elder
- Ernst & Young, Entrepreneur of the Year Program, former judge
- Greater Omaha Chamber of Commerce Entrepreneurship Target Advisory Group
- Leadership Omaha Alumni Association
- Midlands Venture Forum, co-founder
- Omaha Symphony, governing member, 2012-present

### Admissions

- Nebraska, 1991

## Education

- J.D., University of Nebraska College of Law, with highest distinction, 1991  
Order of the Coif  
*Nebraska Law Review*, editor-in-chief
- B.S.B.A., Finance, University of Nebraska at Omaha, *magna cum laude*, 1988





## Todd A. Richardson

### PARTNER

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#### Industry

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- *Great Plains Super Lawyers*, Mergers & Acquisitions, 2009-2010
- *Midlands Business Journal*, "40 Under 40," 2003
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## Education

- J.D., University of Nebraska College of Law, with highest distinction, 1991  
Order of the Coif  
*Nebraska Law Review*, editor-in-chief
- B.S.B.A., Finance, University of Nebraska at Omaha, *magna cum laude*, 1988



# HUSCH BLACKWELL



## Ronald J. Sedlacek

### OF COUNSEL

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A registered lobbyist in Nebraska, Ron advances the government-related objectives of his clients. He engages directly with elected and appointed officials within the intricacies of the legislative and administrative processes. Specifically, Ron represents clients' interests before the legislative bodies of federal and state governments, government agencies, commissions and other regulatory authorities.

These companies and organizations have taken advantage of Ron's extensive lobbying and consulting experience:

- Nebraska Chamber of Commerce and Industry
- Nebraska Chiropractic Physicians Association
- KVC Health Systems Inc.
- Papio-Missouri River Natural Resources District
- Waste Management Corp.
- Home Instead Inc.
- Nebraska Indoor Tanning Association
- Blue Cross & Blue Shield of Nebraska
- NextEra Energy Resources LLC
- Invenergy LLC

Ron's advocacy activities also include screening and identifying legislation of client interest, preparing descriptions and comments of proposed laws and regulations, authoring updates, electronic alerts or related communications, and reporting to appropriate client contacts. He assesses and provides consultation regarding the viability of legislative matters, including opposition research, and assists in implementation of media and public relations strategies.

Ron provides legal assistance and counsel to various associations and their respective boards, committees, executive leadership, officers and staff, as well as corporate clients, association nonprofit or for-profit subsidiaries and service entities. In addition, he organizes and provides client support for task forces, coalitions and special projects, including allied and diverse interest groups. He has served on several gubernatorial and legislative task forces, committees or interim legislative studies on workers' compensation, unemployment insurance, economic development, taxation, banking, financial and agricultural issues. He has also sought and promoted clarifications, rulings or amendments to state or federal statutes and regulations and prepared comment letters or testimony on proposed state or federal regulations.

A frequent public speaker, Ron is a member of the firm's Technology, Manufacturing & Transportation team. He has made presentations before numerous conferences, seminars and workshops for organizations, including the Kansas-Nebraska Schools of Banking, American Bankers Association State Association Counsel, Nebraska Bankers Association, U.S. Chamber of Commerce, Nebraska Chamber of Commerce, Nebraska State Bar Association, Council on State Taxation, Nebraska Association of Bank Attorneys, University of Nebraska College of Law, Marshall Memorial Fellows programs, bank compliance officers associations and local chambers of commerce.

From 1978 to 1983, Ron served as counsel to the Nebraska Legislature, Banking, Commerce and Insurance Committee.

#### Lincoln, NE

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[ronald.sedlacek@huschblackwell.com](mailto:ronald.sedlacek@huschblackwell.com)

#### Industries

Manufacturing

Technology

#### Related Services

Public Policy, Regulatory & Government  
Affairs

## **Representative Experience**

- Achieved passage or defeat of legislation or regulatory initiatives on behalf of industry associations, national and international corporations and a major Nebraska political subdivision.
- Represented Crown, Cork & Seal, Asurion LLC and the Papio-Missouri River Natural Resources District and others in the passage of affirmative legislative measures by the Nebraska Unicameral Legislature.
- Represented Wal-Mart in blocking legislation that attempted to restrict development and zoning relative to large retailers and industrial development. Also opposed taxation and labor proposals.
- On behalf of wholesaler Oriental Trading, prevented legislation that sought to regulate material substances in toys and other products.
- Organized a coalition and represented technical service providers, including Nelnet Inc., TD Ameritrade, U.S. Assets, Home Instead, Nannonation, Hudl and Nebraska Global to achieve passage of a corporate apportionment formula and sourcing rules for sales of intangibles and services.
- Represented wholesale electricity supplier NextEra Energy Resources and Invenergy, a developer and operator of renewable energy products, in promoting legislation that would provide wind energy tax incentives and credits.
- Represented Waste Management Inc. before the Nebraska Legislature regarding legislative bills addressing business matters, including landfill waste, delivery and electronic waste issues.
- Represented the Nebraska Bankers Association as associate general counsel and registered lobbyist.
- Directed Nebraska state legislative affairs for the National Federation of Independent Business and served as registered lobbyist.
- Represented MoneyGram, a major money-transfer company, in regulatory and legislative matters.
- Provided legislative, regulatory and investigatory representation for major private hospital in Nebraska.

## **Professional Associations & Memberships**

- American Tort Reform Association
- Council on State Taxation
- Nebraska Association of Bank Attorneys, President, 2000-2001
- Nebraska Department of Environmental Quality, Business Advisory Group
- Nebraska Federation of Business Associations
- Nebraska State Bar Association, Bank Attorneys Section, Chair, 2001; Executive Committee; Publications Committee; Workers' Compensation Section, Publications Committee and Editor to the "*Nebraska Lawyer*," Volunteer Lawyer's Project

## **Civic Involvement**

- Invest Nebraska Corp., Board of Directors, 2004 to present
- Lincoln Diocese, Lector, Acolyte, Lawyers' Guild
- NACI-Business Development Center, Board of Directors, General Counsel, 1987-present
- Nebraska Chamber of Commerce and Industry, Vice President and General Counsel, 1985-present
- Nebraska Volunteer Service Foundation, Advisory Board, 2001-present
- Salvation Army, Lincoln, Advisory Board, 2010-present
- Serve Nebraska (Nebraska Volunteer Service Commission) Commissioner, gubernatorial appointment, 2002-present; Vice Chair, 2009-2010
- St. Joseph Parish, Vice President, 2006-2007; Parish Council representative, 2004-2007
- St. Vincent DePaul Society, 2003-present
- University of Nebraska College of Law, Client Counseling Competition judge, 2000-present



### **Admissions**

- Nebraska, 1978
- U.S. District Court, District of Nebraska, 1978

### **Education**

- J.D., University of Nebraska College of Law, 1978
- B.A., Government and International Studies, University of Notre Dame, 1975
- Universite Catholique de l'Ouest, C.I.D.E.F. Program, Angers, France, 1972-1973

### **Publications & Presentations**

- Co-author, Nebraska Bankers Association Compliance Handbook, 1983-2005
- Issue Editor, *Nebraska Lawyer*, November 1998, May 2000, August 2002, June 2003, May 2004; Assistant Editor, July 1998, March 1999
- Co-author, "Bank Structure in Nebraska," 30 *Creighton Law Review*, 3, 1997
- Editor and co-author, *The Bank Lawyer*, 1993-1995

# HUSCH BLACKWELL



Lincoln, NE

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[gene.summerlin@huschblackwell.com](mailto:gene.summerlin@huschblackwell.com)

## Industry

Food & Agribusiness

## Related Service

Business Litigation

## Gene Summerlin

### PARTNER

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With deep experience in agriculture and civil litigation, Gene has advised clients in Nebraska and nationally for more than two decades. He represents livestock breed associations and organic agriculture trade associations, bringing creative solutions to the business challenges faced by producers and processors in the agriculture and food industries. In addition, he frequently writes for agribusiness trade publications and speaks to organic industry groups.

Among Gene's agribusiness accomplishments are:

- Serving as special counsel for the U.S. government in an investment-fraud case with \$3 billion in assets.
- Defending cattle breed association against accusations that it engaged in monopolization and fraudulent conspiracy to control the national purebred cattle market.
- Representing farmers in a class action case alleging commercial harm by cross pollination of genetically modified corn.

Gene's experience includes large, multiparty cases that involve medical negligence, dissolution of partnerships, intellectual property rights and wrongful death.

### Representative Experience

- Special counsel to the Department of Justice's U.S. trustee in a complex cattle investment-fraud case with \$3 billion in assets.
- Class counsel for farmers who alleged commercial harm by cross pollination of genetically modified corn.
- Advertising injury coverage litigation arising from insurer's refusal to provide defense to antitrust, Lanham Act and Racketeer Influenced and Corrupt Organizations Act (RICO) claims brought against cattle breed association.
- Challenged Nebraska tax commissioner's methodology for equalization of centrally assessed property on behalf of pipeline companies and public service entities.
- Defended cattle breed association in litigation asserting that association engaged in monopolization and fraudulent conspiracy to control American purebred cattle market.
- Class action litigation brought on behalf of foster children challenging defects in Nebraska foster care system.
- Took action against the City of Lincoln, Neb., in constitutional litigation against city arising from passage of anti-picketing ordinance that violated plaintiffs' First Amendment speech rights.
- Won a federal ruling that forced a Nebraska prison to accommodate the kosher food request of a Muslim inmate.

### Awards & Recognitions

- *Great Plains Super Lawyers*, Business Litigation, 2012, 2013
- Martindale-Hubbell AV Preeminent
- Nebraska Appleseed Center for Law in the Public Interest, Seeds of Justice Award, 2007

## Professional Associations & Memberships

- Nebraska Association of Trial Attorneys
- Nebraska Bar Association
- Robert Van Pelt American Inn of Court
- U.S. District Court, District of Nebraska, Federal Practice Committee, 2009-2011; Federal Practice Budget Committee, 2010-2011

## Civic Involvement

- Family First, advisory counsel, 1999-2001
- Grace Chapel, Haiti ministries coordinator, 2010-2013
- Latino Berean Church, Advisory Board, 2000-2002
- Lincoln East High School hockey coach, 2005-2013
- Lincoln Ice Hockey Association, Board of Directors, 2005-2010; president, 2007-2010; youth hockey coach, 1998-2013
- Lost Lamb Rescue Mission, Board of Directors, 1999-2001
- YMCA youth baseball, football, soccer and softball coach, 1997-2006
- Zion Presbyterian Church, Board of Deacons, 1995-2007; deacon chair, 1997-2007

## Admissions

- Nebraska, 1991
- U.S. District Court, Central District of Illinois, 2004
- U.S. District Court, Southern District of Illinois, 2005
- U.S. District Court, District of Nebraska, 1991
- U.S. Court of Appeals, Eighth Circuit, 1995
- Omaha Tribal Courts, 2007

## Education

- J.D., University of Nebraska College of Law, with high distinction, 1991  
Order of the Coif  
American Jurisprudence Award for Trial Advocacy, Advanced Trial Advocacy  
Arthur E. Perry Scholarship  
Kutak Rock & Campbell Scholarship  
National Trial Team  
Roscoe Pound Memorial Award  
Thomas Stinson Allen Award for Oral Advocacy  
*Nebraska Law Review*, executive editor
- B.S., Agriculture, University of Nebraska-Lincoln, 1988

## Publications & Presentations

- Co-author, "Managing Risk in Custom-Feeder Lending: A Case Study: Stinking Up Negotiability - Part 3," *Nebraska Banker*, July 2013
- Co-author, "Managing Risk in Custom-Feeder Lending: A Case Study: Stinking Up Negotiability - Part 2," *Nebraska Banker*, May 2013
- Co-author, "Managing Risk in Custom-Feeder Lending: A Case Study: Stinking Up Negotiability - Part 1," *Nebraska Banker*, March 2013



- Author, "Partner v. Partner II: Fraud and the *In Pari Delicto* Defense," Association of Trial Lawyers of America newsletter, Business Torts section, Volume 9, Number 2, spring 2005
- Author, "50 Things I Wish I Would Have Learned in Law School," *The Prairie Barrister*, Volume 8, No. 2, 2002; *Louisiana Advocates*, Volume XVIII, Number 1, January 2003; *Trial Talk*, Volume 52, Number 2, February 2003; *The Docket*, Volume 25, Number 5, May 2003
- Author, "Blue Sky Laws and the Beef Industry," *Beef Today*, July 1997
- Author, "Know What You're Getting Into: Strategic Alliance Agreements," *Beef Today*, April 1996
- Author, "Promises, Promises: A Contract Primer," *Feedlot Today*, May 1992
- Speaker, "Uninsured and Underinsured Motorist Law in Nebraska," National Business Institute, Lincoln, Neb., May 2004
- Speaker, "Legal Implications of Animal Cloning: The Future is Now," National Pedigreed Livestock Council annual meeting, Denver, Colo., May 2003
- Speaker, "Notice Pleading Comes to Nebraska," Nebraska Association of Trial Attorneys annual meeting, October 2002
- Speaker, "A Commonsense Approach to Risk Management," Nebraska Parks and Recreation Association annual meeting, September 2000
- Speaker, "Preparing Clients for Trial – From Discovery to Direct," Nebraska Association of Trial Attorneys fall seminar, October 1999