



## Richard D. Rhyne

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### KANSAS CITY

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### PRACTICE AREAS

Business Litigation  
General Business and Complex  
Commercial Litigation  
Real Estate Litigation

### INDUSTRIES

Construction

### EDUCATION

University of Missouri-Kansas  
City School of Law, J.D., with  
distinction, 1974

University of Missouri-  
Columbia, B.S., Business  
Administration, 1969

Mr. Rhyne has more than 30 years of experience in successfully representing construction contractors, insurance and surety bond companies, and other corporate clients in multi-million dollar construction cases as well as in general litigation and commercial law matters. Mr. Rhyne has also participated in hundreds of arbitrations and mediations of construction disputes in a wide range of cases including several international disputes. Recent career highlights include:

- Achieved 90% recoupment of remediations costs for defective construction and design defects against general contractor, architect and window manufacturer
- Achieved 100% recoupment of costs related to mold remediation due to defective windows for national hotel chain from general contractor and subcontractors
- Obtained a \$1.5 million settlement following a two-day mediation on behalf of Jackson County, Missouri, with several companies involved in complaints over the design and construction defects at the Fort Osage Education Center.
- Obtained a \$4.2 million verdict for clients who were victims in a landmark cattle fraud case. *The Kansas City Star: Millions Awarded in Cattle Fraud*
- In his second major cattle fraud case, obtained a total award of more than \$1 million for a client in a jury trial. *Smoke, Mirrors and Holstein Heifers*
- Successfully represented defendants in a 27 count indictment on a bid rigging & Hobbs Act case involving the waste hauling industry
- Was successful in having a \$2.2 million nuisance award overturned against a landfill operation
- Successfully represented insured in obtaining cost of the defense from four carriers in environmental claim

- Obtained a multimillion-dollar settlement for owner in a multi-party delay claim arising out of a fast-track project for construction
- Successfully represented insured in obtaining defense costs in several cases involving the pollution exclusion

### Court Memberships

- Missouri
- U.S. Court of Appeals for the Eighth Circuit
- U.S. Court of Appeals for the Tenth Circuit
- U.S. District Court for the District of Kansas
- U.S. District Court for the Western District of Missouri

### Honors

- Selected among *The Best Lawyers in America*<sup>®</sup>, 2011-2012
- Elected President of Committee of County Progress, 2010
- Selected for Missouri/Kansas *Super Lawyers*, 2006-2007, 2010 and 2011
- Kansas City Bar Association Professional Responsibility Award, 1974
- Managing Editor, UMKC Law Review, 1973-1974
- Thomas Deacy Memorial Trial Practice Award, 1974
- Martindale-Hubbell<sup>®</sup> “AV” Rating
- U.S. Army: 1st Lt., 1969-1971, Honorable discharge; Combat Infantry's Badge; Bronze Star with Oak Leaf Cluster

### Professional Affiliations

- Certified Arbitrator, American Arbitration Association
- Certified Mediator, American Arbitration Association
- Certified Neutral with the United States District Court for the Western District of Missouri
- The Missouri Bar
- The Kansas City Metropolitan Bar Association (KCMBA), Chair of KCMBA Alternative Dispute Resolution Committee, 2003; KCMBA Committee Leadership Council, 2003; Chair of KCMBA Construction Law Committee, 2001
- Lawyers Association of Kansas City
- ABA Dispute Resolution Section Member
- ABA Environment, Energy and Resources Section Member
- ABA Litigation Section Member

- ABA Tort and Insurance Practice Section (TIPS) Member
- ABA Forum Committee on the Construction Industry
- List of Dispute Resolution Neutrals, Missouri Supreme Court Rule 17
- AMM - Association of Missouri Mediators
- ACR - Association of Conflict Resolution
- Kansas City, Missouri Environmental Management and Waste Minimization Commission
- Missouri Environmental Transition Advisory Group
- Kansas City, Missouri Environment and Energy Commission
- President of Downtown II
- MS Society Board of Directors, 1997-2003
- MS Society Executive Committee, 1999-2003
- MS Society Executive Committee Vice-Chair, 2002-2003
- MS Society Governmental Relations Committee Co-Chair, 2002-2003

## Publications

- *Understanding ADR*, chapter in Preparing for Alternative Dispute Resolution Cases, December 2007
- *Resolving Public Sector Disputes: A Road of Politics and Potholes*, Dispute Resolution Journal, Feb.-April, 2003
- *Construction Law Arbitration*, The Missouri Bar ADR Committee Newsletter - Fall 2001
- *Construction Law Mediation*, The Missouri Bar ADR Committee Newsletter - Fall 2001
- *Construction Law: From Getting the Contract to Chain of Liability*, 1999. Chapter 2 -- Scope of Typical Clauses, *Construction Change Order Claims*, John Wiley & Sons, Inc., 1994
- *For the Defense: Tactics, Strategies and Considerations in Defense of Civil Litigation*, 1994
- *Missouri Environmental Law*, Federal Publications, Inc., 1993
- *Missouri Construction Law*, Federal Publications, Inc., 1992 and 1993
- Co-author, *The New Used Oil Regulations and Their Future Impacts*, Petro-Safe '93 Seminar, 1993

## Presentations

- *Alternate Dispute Resolution*, Legal Symposium for the Construction Industry, September 2007

- *Change Orders in Kansas*, Lorman Education Services, September 27, 2005
- *Home Construction Disputes*, Association of MO Mediators, August 13, 2005
- *What's Hot in Construction Law*, Lathrop & Gage L.C., July 14, 2005
- *Change Orders*, Lorman Education Services, May 3, 2005
- *Construction Law: Can This Job Be Saved? Creative Strategies For Project Completion & Litigation Avoidance in Missouri*, Lorman Education Services, 2002
- *Hot Topics in Construction Law for Real Estate Professionals*, The Kansas City Metropolitan Bar Association, 2002
- *Recent ADR Developments*, The Kansas City Metropolitan Bar Association, 2002
- *Design-Build In Missouri and Kansas: Public Sector Issues/Competitive Bidding*, Lorman Education Services, 2001
- Panelist, *Attorney's ADR Toolbox*, Missouri Bar Annual Meeting, 2001
- *Major Land Use Laws in Missouri: Environmental Issues in Property Development*, The National Business Institute, 2001
- *Major Land Use Laws in Missouri: Ethical Considerations*, The National Business Institute, 2001
- *The Big Debate*, Joint Sessions and Private Caucuses - Association of Missouri Mediators, 2000
- *Dispute Resolution: Practical Solutions*, The Kansas City Metropolitan Bar Association, 2000
- *Environmental Considerations-Compliance Issues; Hazardous Materials/Solid Waste; Demolition/Surface Contamination; Stormwater*, Law Seminars International: Construction Law, 1999 and 2000
- *Construction Law: From Getting the Contract to Chain of Liability*, 1999. Chapter 2 -- Scope of Typical Clauses, *Construction Change Order Claims*, John Wiley & Sons, Inc., 1994
- *For the Defense: Tactics, Strategies and Considerations in Defense of Civil Litigation*, 1994
- *Construction Claims and Job Profitability*, 1988
- *What Do You Do When the Contract is Changed?*, Chap. 4, *What Do You Do When Conditions on the Job Change?* Chap. 5, *Construction Law: What Do You Do When?*, National Business Institute, Inc., Seminar, 1986
- *Construction Delay Claims Seminar*, 1985
- *CPM Construction Scheduling Using Micro-Computers, and Construction Delay Claims Seminar*, 1985