



Patrick L. Kenney

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PRACTICE AREAS

Business Litigation

Class Action

Creditors' Rights

General Business and Complex
Commercial Litigation

Securities

Trade Secrets

EDUCATION

Washington University School of
Law, J.D., 1998

Southwest Missouri State
University, B.S., 1994

Mr. Kenney represents clients in commercial litigation in the areas of securities, corporate governance, breach of fiduciary duty, shareholder disputes, noncompetition and nonsolicitation covenants, professional liability, breach of contract, and condemnation. Mr. Kenney also assists clients on e-commerce and Internet law issues. Mr. Kenney has assisted clients on matters pending before the United States Court of Appeals for the Eighth, Ninth and Tenth Circuits and numerous federal district and state courts throughout the country.

Securities, Corporate Governance and Shareholder Disputes:

- Advised Fortune 500 company regarding the risk of class action securities litigation from merging with another company.
- Member of litigation team that successfully defended international company against an attempt by a hostile party to place two members on its board of directors.
- Negotiated favorable settlements for securities brokers and dealers of arbitration claims brought by clients alleging churning, suitability of investments, and other claims regarding management of investment accounts.
- Successfully defended general partners against claims of breach of fiduciary duty and fraud related to management of real estate limited partnerships.
- Obtained injunctive relief on behalf of limited partners in disputes with general partners involving obtaining access to books and records and registration and transfer of interests in limited partnerships.

Noncompetition and Nonsolicitation Litigation:

- Negotiated favorable settlements of disputes involving noncompetition and nonsolicitation agreements for both employers and employees.
- Obtained injunctive relief on behalf of employers for violation of noncompetition, nonsolicitation and confidential information agreements by employees.
- Successfully defended employees in suits by employers to obtain injunctive relief on noncompetition, nonsolicitation and confidential information agreements.
- Advised clients on the enforceability of restrictive covenants in employment agreements.

Professional Liability:

- Negotiated favorable settlements for accountants of malpractice claims.
- Advised accountants on responding to subpoenas for information regarding clients.
- Advised accountants on responding to inquiries from boards of accountancy.

Condemnation:

- Prosecuted condemnation actions on behalf of governmental and corporate entities with condemning authority, including successful settlement negotiations with landowners.
- Obtained jury verdict on behalf of the landowner for more than \$300,000 in damages for condemnation of property.
- Negotiated favorable settlements for landowners.

Court Memberships

- Kansas
- Missouri
- U.S. District Court for the District of Kansas
- U.S. District Court for the Western District of Missouri

Honors

- Graduate of the National Institute for Trial Advocacy - National Session
- Champion and High Oralist - Wiley Rutledge Moot Court (argued before Justice Scalia)

- Finalist and Semi-Final Best Oralist - National Environmental Moot Court

- Chair of the Washington University Environmental Moot Court
- Quarter-Finalist - ABA Regional Appellant Advocacy Competition
- Washington University Scholar in Law

Professional Affiliations

- The Missouri Bar
- The Kansas Bar Association
- The Kansas City Metropolitan Bar Association
- American Bar Association

Publications

- *Public Policy Considerations Favoring Settlement Do Not Bar Malpractice Claim Against Attorney for Negligent Advice to Settle a Claim*, Defense Research Institute, Professional Liability Committee Newsletter, July 2006
- *E-sign Laws Enforce the Legality of Documents Created in Cyberspace*, *Kansas City Business Journal*, October 5-11, 2001
- *The Napster Battle: Applying Copyright Laws in the Era of the Internet and Digital Music*, *E-commerce Law and Strategy*, Vol. 17, No. 12, June 2000