



KANSAS CITY

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PRACTICE AREAS

Litigation

Appellate Practice

General Business & Complex
Commercial Litigation

Employment & Labor

Insurance Recovery &
Counseling

ERISA, Life, Health & Disability
Litigation

Class Action Defense

Civil Rights Insurance Recovery

COURT MEMBERSHIPS

- Missouri
- U.S. Court of Appeals for the Eighth Circuit
- U.S. Court of Appeals for the Seventh Circuit
- U.S. Court of Appeals for the Ninth Circuit

R. Kent Sellers

Senior Counsel | kent.sellers@lathropgpm.com

For more than 25 years, Kent Sellers has represented clients in a wide array of disputes involving complex legal issues, including contracts and business torts, employment discrimination and civil rights, insurance coverage, ERISA, receiverships, director and officer liability, class actions, federal preemption and tribal court jurisdiction. He has prepared briefs and argued cases before various federal and state appellate courts, including submission of amicus briefs. Kent is experienced in the development of motion strategies and case management techniques for complex litigation.

Representative Experience

- Obtained discretionary transfer to state supreme court and briefed appeal that reversed dismissal of client's claim for inverse condemnation and recognized property owner's right to sue for "condemnation blight" arising from stalled redevelopment plan.
- Represented a national mining company in simultaneous federal and state litigation, including extraordinary writ practice and parallel appeals, involving constitutional, statutory and common law claims arising from lawful use of public streets.
- Obtained complete victory for governmental unit by unappealed summary judgment that vindicated unit's statutory power to tax, and broad discretion to spend, for services to persons with developmental disabilities as against challenge by service provider seeking to restrict permissible scope of spending authority.
- Obtained unappealed dismissal of constitutional challenges to state statute authorizing placement of cable television lines on state highway rights-of-way, which resulted in voluntary dismissal of a dozen cases asserting numerous claims against cable services provider.

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

EDUCATION

University of Missouri-Kansas
City School of Law, J.D., *with distinction*, 1980

University of Missouri-Kansas
City, B.A., *with distinction*, 1977

CLERKSHIP(s)

Law Clerk to The Honorable
Joseph E. Stevens, Jr., United
States District Court for the
Western District of Missouri

- Represented a national agricultural producer in state appeals and discretionary review proceedings arising from multiple suits alleging nuisance.
- Represented a national financial institution in a federal appeal upholding a preliminary injunction against former employees to enforce nonsolicitation agreements and upholding an order refusing to compel FINRA arbitration.
- Developed strategy and briefed motions to dismiss tribal court suit against non-Indian client for alleged breach of federal mineral contract.
- Represented a national health care provider in federal judicial review of administrative denial of millions of dollars of cost reimbursement.
- Represented municipality and permittee in judicial review of rezoning and special use permit for underground mining.
- Represented an association of health care providers as amicus in a state supreme court appeal involving Health Insurance Portability and Accountability Act of 1996 (HIPAA).
- Handled appeal successfully defending quarry's special use permit against municipal challenge.
- Briefed and argued successful post-trial motion and appeal overturning \$250,000 award of punitive damages against client accused of wrongful detention and arrest.
- Filed amicus brief and obtained state supreme court ruling that not-for-profit corporations have the same right as for-profit corporations to use restrictive covenants to prevent unfair competition by former employees.
- Obtained state supreme court ruling recognizing setoff rights against insurance receiver, thereby sparing client from further losses to insolvent insurer.
- Represented engine manufacturer in class-action appeal involving statutory wage and tort claims.
- Obtained federal appeals court decision upholding summary judgment for contract operator of a federal facility against claims of race, gender and age discrimination and retaliation.
- Obtained federal appeals court decision upholding summary judgment for national waste company against claim of disability discrimination.
- Briefed successful federal appeal upholding client's ERISA benefits determination.

- Briefed and argued successful state supreme court challenge to retroactive legislation as unconstitutional impairment of vested rights.
- Obtained summary judgment for national manufacturer in action by union members alleging ERISA, RICO and other claims; briefed and argued successful federal appeal upholding favorable result.
- Developed and implemented dispositive and evidentiary motion strategy for test case in multi-party franchise dispute with national tax preparation firm; case ultimately resolved by payment of \$270 million to 16 clients.

Client Alerts And Blog Posts

- Missouri Supreme Court Changes Rules to Reduce Discovery Burden
April 15, 2021
- Eighth Circuit En Banc Upholds Diversity Jurisdiction Despite Improper Removal
January 8, 2021

In The News

- Tesla Scores Win In Missouri Court of Appeals
December 8, 2017

News Releases

- Kent Sellers Named to 2024 POWER List for Appellate Law
February 21, 2024
- Eight Lathrop GPM Attorneys Named Lawyer of the Year, 89 Ranked as The Best Lawyers in America©
August 17, 2023
- Six Lathrop GPM Attorneys Named Lawyer of the Year, 95 Ranked as The Best Lawyers in America©
August 18, 2022
- Kent Sellers Named to Missouri Power List for Appellate Law
March 3, 2022
- Seven Lathrop GPM Attorneys Named Lawyer of the Year, 100 Ranked as The Best Lawyers in America©
August 19, 2021
- Kent Sellers Named to Missouri Power 30 List for Appellate Law
March 1, 2021

- Lathrop GPM Attorneys Named to The Best Lawyers in America®, Lawyer of the Year, and Ones to Watch for 2021
August 20, 2020
- Best Lawyers in America 2020 Names 72 Lathrop Gage Attorneys; 13 Lawyers of the Year
August 15, 2019
- Best Lawyers in America Recognizes 70 Lathrop Gage Attorneys
August 15, 2018
- Best Lawyers in America Recognizes 78 Lathrop Gage Attorneys
August 15, 2017
- Best Lawyers in America Recognizes 78 Lathrop Gage Attorneys
August 16, 2016
- Lathrop Gage Obtains Two Wins in One Day at Missouri Supreme Court
November 21, 2014
- 81 Lathrop Gage Attorneys Named “Best Lawyers in America”
August 15, 2013
- 80 Lathrop Gage Attorneys Named “Best Lawyers in America”
August 22, 2012
- 59 Lathrop Gage Attorneys Named Best Lawyers in America
August 6, 2010
- 56 Lathrop Gage Attorneys Named Best Lawyers in America
August 3, 2009

Professional Affiliations

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

Honors

- *Missouri Lawyer Media*, The POWER List - Appellate Law, 2021-2024
- Selected among *The Best Lawyers in America*®, 2008-2024
 - Appellate Practice "Lawyer of the Year," 2013, 2020
- Martindale-Hubbell® "AV" Rating
- Research Staff Attorney, Missouri Court of Appeals, Western District

- Comment Editor, UMKC Law Review