



Michael M. Hirn

Of Counsel
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In addition to providing guidance to clients regarding construction contracts, claims and disputes, Mike focuses his practice on litigating and resolving general business claims involving alleged breaches of contracts (including non-competition agreements), breaches of fiduciary duties and professional duties of care and misuse or theft of confidential information and intellectual property. He also has experience in litigating disputes between suppliers, distributors and merchants over purchase orders and supply agreements and other matters controlled by the Uniform Commercial Code. Mike also represents developers, owners, property managers and owner associations in disputes over property rights, including landlord tenant issues and matters of condominium law. He is licensed to practice in both Kentucky and Indiana.

Services

- Litigation
- Construction Industry
- Education Industry
- Insurance Industry

Education

- William & Mary Law School (J.D., 1994)
- University of Virginia (B.A., 1987)

Bar Admissions

- Kentucky
- Indiana

Court Admissions

- U.S. Court of Appeals for the Sixth Circuit
- U.S. Court of Appeals for the Seventh Circuit

- U.S. District Court for the Eastern District of Kentucky
- U.S. District Court for the Western District of Kentucky
- U.S. District Court for the Southern District of Indiana

Affiliations/Memberships

- Louisville Bar Association
 - Public Service Committee
 - "Law Day in School" subcommittee, chairman
- Kentucky Bar Association
- Jefferson County Public Schools, Magnet Steering Committee

Distinctions

- Peer Review Rated BV in *Martindale-Hubbell*
- Kentucky *Super Lawyers*®
- "Top Lawyers" by *Louisville Magazine* (2016)

Experience

Beneficial Franchise Company v. BankOne, et al.

We were lead counsel for defendants Republic Bank & Trust and River City Bank in patent infringement case involving business method patents purportedly covering systems and software relating to tax refund anticipation loan processing. We successfully settled the case after prevailing with respect to novel contractual third-party claims which we brought against an affiliate of the plaintiff patent owner. *Beneficial Franchise Company v. Bank One, et al.*, Civil No. 00 C 2441 (N.D. Ill. 2001).

Genesis Plastics and Engineering, LLC v. Lear Corporation

We represented Plaintiff Genesis Plastics and Engineering, LLC in a lawsuit seeking \$500,000 to \$1.5 million for breach of contract, tortious interference with contract, and fraud. We were able to achieve an excellent outcome for the client by aggressively pursuing all available claims. Thoroughness in the discovery process uncovered crucial evidence leading to the favorable outcome. We also used a creative multi-media presentation during settlement negotiation to demonstrate our preparedness for trial and ability to convey the relevant facts of a complex commercial case so that a jury could readily understand and empathize with our client's position. After completion of discovery and substantial motion practice the matter was resolved with a favorable settlement for our client.

Kentuckiana Cellular, Inc. v. Bluegrass Cellular, Inc.

Dinsmore & Shohl represented the Defendant/Counterclaim Plaintiff, Bluegrass Cellular, in a matter involving claims of breach of contract and fraud. By working closely with the client we came to understand the subtleties of

the relevant business relationships. This understanding allowed us to successfully defend a claim against our client and to then win a substantial verdict on our counterclaim. Kentuckiana's claim was dismissed on directed verdict and a jury awarded our client \$1 million.

Publications

September 22, 2016

Open for Public Comment: Kentucky's P3 Legislation Is Ahead of Schedule