



## Grahmn N. Morgan

Partner  
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Grahmn is co-chair of the firm's commercial litigation practice, serves on the firm's Board of Directors, and is the managing partner of the firm's Lexington office. He focuses his practice on complex business litigation. He has experience handling breach of fiduciary duty claims, shareholder disputes, breach of contract claims, class actions, real estate disputes, oil and gas litigation, coal litigation, bankruptcy matters, and various business disputes in the equine industry. He also advises clients in non-litigation matters, such as the negotiation and preparation of business contracts and due diligence for business ventures.

He has appeared in all of the federal district courts in Kentucky and West Virginia, as well as numerous circuit courts throughout Kentucky and West Virginia. Grahmn has also handled appellate matters before the Kentucky Court of Appeals, the Kentucky Supreme Court and the Sixth Circuit Court of Appeals. Over the course of his career, he has represented clients in trial courts, arbitrations, and administrative proceedings in Kentucky, Ohio, West Virginia, Virginia, Washington D.C., California, Illinois, Pennsylvania, and Wyoming.

### Services

- Litigation
- Class Action
- Tort
- Natural Resources Industry
- Equine Industry

### Education

- California Western School of Law (J.D., *cum laude*, 2001)
- University of Louisville (B.S., 1998)

### Bar Admissions

- Kentucky
- California

## Court Admissions

- U.S. Court of Appeals for the Sixth Circuit
- U.S. District Court for the Eastern District of Kentucky
- U.S. District Court for the Western District of Kentucky

## Affiliations/Memberships

- Kentucky Bar Association
- California Bar Association
- Fayette County Bar Association
  - Executive Board Member
  - Young Lawyers Section, past president
- Energy and Mineral Foundation
- LexArts, Fundraising Cabinet
- Prevent Child Abuse Kentucky, volunteer and event host
- Leukemia and Lymphoma Society
- Junior Achievement, volunteer teacher
- God's Pantry

## Distinctions

- Peer Review Rated AV in *Martindale-Hubbell*
- Kentucky *Super Lawyers*®
  - Business Litigation (2021-2023)
- Future Star by *Benchmark Litigation*
- Rising Star by Lexington Young Professionals
- Kentucky *Rising Stars*® (2014, 2015)

## Experience

### Anonymous Plaintiffs v. Large National Coal Company

Our firm represented a large national coal company in its claims for breach of contract, fraud, misrepresentation and tortious interference with contract involving multiple coal contracts and assignments of contract for coal for a power company's North Carolina generating station. A settlement was ultimately reached.

## **Arch Coal v. Tuco, Inc.**

We were advising and assisting the client in very contentious negotiations over a price adjustment provision in a long term, high volume coal supply contract. As it began to become apparent the negotiations were unlikely to reach a mutually acceptable conclusion, we helped formulate a strategy that resulted in a complete re-negotiation of the contract, resulting in new pricing and other significant concessions by the utility. We filed suit on behalf of our client in the 6th Judicial District, Campbell County, Wyoming in anticipation of the filing of a claim by the Defendant utility in its own jurisdiction in Texas. The existence of the case in Wyoming assisted in reaching a commercial resolution to the dispute on terms favorable to the client.

## **Class Action Plaintiffs v. Credit Company and Law Firm**

This was a class action claim against our client, a law firm, in which the plaintiff alleged violations of the Fair Debt Collection Act in collection proceedings. The plaintiffs sought in excess of \$20,000,000. After discovery, we successfully obtained summary judgment on behalf of our client.

## **Former Council Member v. Former Vice-Mayor**

The plaintiff was a former Lexington-Fayette Urban County Government council-member who brought claims against our client, the former Vice-Mayor of the Lexington-Fayette Urban County Government. In his claim, the plaintiff has alleged claims of defamation, tortious interference and abuse of process. We were successful in getting the case dismissed by the trial court on summary judgement which was recently affirmed by The Kentucky Court of Appeals.

## **Geneva Hager v. Large National Insurance Company**

Our firm defended a large national insurance company on claims that it violated the Kentucky Unfair Claims Settlement Practices Act in implementing claim handling processes for casualty claims involving soft tissue injuries arising from minor impact automobile accidents which the plaintiff contended were improper. Class certification was denied, and thereafter the insurance company won a defense verdict in a highly publicized trial of the bad faith claim of the individual plaintiff who had sought \$1.45 billion in damages.

## **James A. Thompson and T.R. Technologies Ky, Inc. v. Edward L. Underwood, Crescent Capital Investments, Inc., et al.**

In this matter, the former owner of T.R. Technologies brought a claim for breach of contract, among other claims, stemming from his sale of a majority interest in his company to the defendants. The plaintiff was retained on a consulting basis to advise on the business. The defendants later determined that certain wrongdoings had occurred and terminated the plaintiff from his consulting position. The plaintiff sued for breach of contract. We represented the defendants and filed counterclaims against the plaintiff for fraud, breach of fiduciary duty and negligent misrepresentation. The parties were seeking over \$10,000,000 in damages. The case was settled.

## **Ticona Polymers, Inc. v. Solutia, Inc.**

This case involved claims of breach of contract and breach of duty of good faith and fair dealing over a dispute involving a long term supply contract. The matter was disposed of on summary judgment; an appeal is pending.

## **United American Energy, LLC v. Arrowhead Enterprises of Kentucky, Inc., PAL Oil Company, LLC, Norman Ledford, Montie Parks and Cornelius Arthur.**

Represented United American Energy in commercial fraud and breach of contract action against various defendants in Fayette County, Kentucky. Received trial verdict in excess of \$1.5 million dollars in favor of United American Energy, including an award of punitive damages against the defendants.