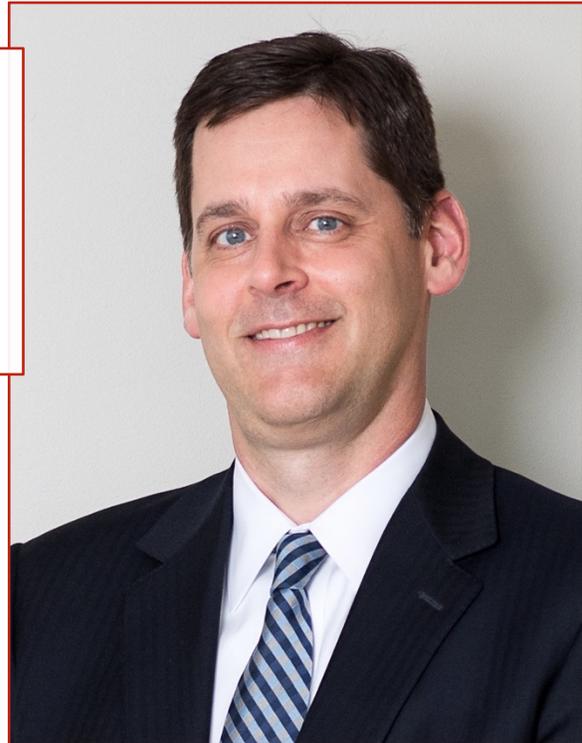


BRIAN HAARA

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Brian primarily serves the trial and litigation needs of clients in the insurance, financial services, and bourbon industries, but more broadly, Brian represents businesses and professionals in defense of employment claims and professional liability claims, fiduciary liability, disputes among owners, conflicts with competitors and vendors, insurance coverage and bad faith disputes, reinsurance and Lloyd's disputes, construction defects, and personal injury defense. Clients have also called on Brian to coordinate and manage multi-state non-compete litigation.

Before disputes arise, Brian focuses with clients on being able to avoid them through planning, drafting practical policies and proactive employment contracts with reasonable restrictive covenants, and protecting clients by counseling them on their insurance policies and risks. This includes counseling clients starting new bourbon distilleries, warehousing operations, vintage spirits bars, and bourbon brands.

Brian's practice also includes land-use planning litigation, receiverships, Community Association disputes, and other real property disputes, including as a Mediator approved by the Greater Louisville Association of Realtors for residential sales disputes and as an expert witness.

EDUCATION

Brian received his undergraduate degree from Alma College (B.A., magna cum laude, Phi Beta Kappa 1993), and his law school degree from the University of Kentucky College of Law (J.D., 1996).

BAR ADMISSIONS

K Brian is admitted to the Kentucky (1996) and Indiana (1997) bars and is admitted to practice before the U.S. Supreme Court, the U.S. Court of Appeals for the Sixth and Seventh Circuits, and the U.S. District Courts for the Eastern and Western Districts of Kentucky, and the Southern and Northern Districts of Indiana.

RECOGNITIONS

AV[®] Preeminent[™], *Martindale-Hubbell*[®]

Kentucky Super Lawyers[®], 2011-2022

The Best Lawyers in America[®], 2013-2022

Best Lawyers[®] 2020 Louisville Litigation – Real Estate “Lawyer of the Year”

Best Lawyers[®] 2016 Louisville Litigation – Real Estate “Lawyer of the Year”

WORK HIGHLIGHTS

Some of Brian’s recent career highlights as lead trial counsel include:

- Prevailing on summary judgment in favor of an employer defending against a former employee’s claim of discriminatory and retaliatory termination allegedly based upon his sex and race under Title VII of the Civil Rights Act of 1964;
- Prevailing on summary judgment and on appeal to the Sixth Circuit on behalf of a startup distillery client defending against bourbon trademark claims asserted by a large distillery, and establishing rights under the fair use defense — awarded a “Top 10 Trademark Rulings of 2018” by Law360;
- Winning a substantial jury verdict against an international franchisor for wrongful termination of a client’s franchise agreement;
- Obtaining summary judgment in favor of an insurance agency and individually-named agent clients, and establishing protection against overzealous inclusion of individual agents in insurance E&O claims;
- Securing summary judgment and affirmance by the Sixth Circuit in favor of an insurance agency client and establishing important limits on duties of agencies;

- Successfully arguing to extend an arbitration provision to protect a non-party insurer in the Kentucky Court of Appeals;
- Securing numerous injunctions against employees who use confidential information or trade secrets, or who otherwise violate their restrictive covenants or who unfairly compete with their former employers;
- Obtaining a favorable arbitration award in favor of a banking client that invests in the development of affordable housing, against a breaching General Partner.

COMMUNITY AND PERSONAL ACTIVITIES

In February 2013, Brian was appointed by the Chief Judges of the U.S. District Courts for the Eastern and Western Districts of Kentucky as the Chair of the Joint Local Rules Commission. The Commission is comprised of District Court Judges and at-large members appointed by the Kentucky Bar Association. The Commission strives to provide standardized procedures for the convenience of the bench and bar, and ensures continuing continuity, clarity and modernity of the Joint Local Rules.

Brian currently serves on the Advisory Board of the Kentucky Humane Society and serves on the St. Patrick School Foundation. Brian recently concluded eleven years of service on the Board of Directors of Zoom Group (formerly known as Louisville Diversified Services), a United Way agency that is Kentucky's largest provider of vocational services for adults with intellectual and developmental disabilities, seven years of service on the Finance Council of his church, and previously coached basketball for elementary students.

Brian and his wife have two children. The documentary, *Straight Up: Kentucky Bourbon*, featured Brian on Bourbon history and law, and his first book, *Bourbon Justice: How Whiskey Law Shaped America*, was published by Potomac Books in November 2018. Brian presents frequently at continuing legal education seminars on bourbon law and is a regular speaker at bourbon events ranging from private events to the Bourbon & Beyond outdoor music festival.