



T. Morgan Ward Jr.

Title: Member

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[REDACTED]  
[REDACTED]

Morgan Ward is a member of the firm's Business Litigation Service Group. His practice focuses on commercial litigation, regulatory litigation (including the laws and regulations pertaining to real estate professionals and the banking industry), constitutional law, real estate litigation, commercial lease litigation, condemnation and eminent domain, trust and estates litigations, title insurance defense litigation, insurance coverage litigation for both insureds and insurers, bad faith litigation, trial practice, arbitration, mediation, and appellate practice.

Morgan has argued cases before the U.S. Court of Appeals for the Sixth Circuit, the Kentucky Supreme Court and the Kentucky Court of Appeals. He has tried numerous cases to jury and bench verdicts.

# CAPABILITIES

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## Practice Areas

- Airport Law
- Appellate Advocacy
- Arbitration, Mediation & Alternative Dispute Resolution
- Aviation
- Business Litigation
- Class Action, Mass Action & Multi-District Litigation
- Financial Services Litigation
- Intellectual Property Litigation
- Litigation & Appeals
- Real Estate & Land Use Litigation
- Real Estate General Practice
- Securities Litigation

## RECENT ASSIGNMENTS

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- Serves as lead litigation counsel to defend a law firm against RESPA claims filed by the Consumer Financial Protection Bureau (CFPB) in pending litigation before the United States District Court for the Western District of Kentucky.
- Won rulings on behalf of commercial real estate brokers and investors in a series of constitutional challenges under the Commerce Clause, which resulted in federal court rulings to invalidate "turf state" laws that restricted interstate brokerage and impaired the national market for commercial real estate. See *Marcus & Millichap Real Estate Inv. Brokerage Co. v. Skeeters*, 395 F. Supp. 2d 541 (W.D. Ky. 2005); *River Oaks Mgmt. v. Brown*, 2007 U.S. Dist. LEXIS 65286 (W.D. Ky. 2007); GLOBE STREET, "Marcus & Millichap Wins 'Turf State' Lawsuit" (September 13, 2007)("The entire industry is expected to benefit from the victory in a federal lawsuit challenging Kentucky's law prohibiting cooperation with out-of-state brokers").
- Successfully represented commercial real estate firms and brokers in a variety of contract and business tort litigation matters.
- Served as second chair (in third year of practice) before the U.S. Supreme Court in *Intel Containers International Corp. v. Huddleston*, 113 S.Ct. 1095 (1993) regarding the constitutionality of state taxes on cargo containers used in international commerce.
- Significant experience litigating a variety of cases connected to the Louisville Airport Improvement Program, the \$780 million expansion of Louisville's International Airport for which Stites & Harbison served as lead counsel, and he currently represents the Louisville Regional Airport Authority in active litigation matters.
- Has handled several trust and estate litigation matters, including pending matter to preserve a substantial bequest to the American Society for the Prevention of Cruelty to Animals.

## BAR ADMISSIONS

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- Kentucky
- U.S. Court of Appeals for the 6th Circuit
- U.S. District Court for the Eastern District of Kentucky
- U.S. District Court for the Western District of Kentucky

## RECENT NEWS, ARTICLES & SPEAKING ENGAGEMENTS

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- Louisville attorneys are pitching in to help accelerate expungement process  
by Steve Kaufman, *Louisville Business First*, March 22, 2019
- Title Agencies Did Not Violate RESPA Affiliated Business Rule  
*The Title Insurance Law Newsletter*, American Land Title Association, September 2017
- RESPA Developments: CFPB v. Borders and Borders  
Mortgage Bankers Association of America, Litigation Committee Conference, July 25, 2017
- Addressing Enforcement Actions  
panel member, MBA's Legal Issues & Regulatory Compliance Conference 2016, Denver, Colorado, May 1-4, 2016
- CFPB Rulemaking, Enforcement, CIDs, Examinations, Administrative Actions and Penalties and How to Adapt Your Practice as a Result  
co-presenter, American Conference Institute's 25th National Conference on Consumer Finance Class Actions & Litigation, Los Angeles, CA, April 7-8, 2016
- CFPB Enhanced Oversight and Heightened Scrutiny of the Industry: Evaluating Lessons Learned from Recent Enforcement Actions, Preparing for Investigations and Examinations and Looking Ahead to Rulemaking Updates  
American Conference Institute's 20th National Forum on Consumer Finance Class Actions & Litigation, October 23-24, 2014
- Case Law and Legislative Update  
Old Republic National Title Insurance Company 2012 Kentucky Agency Seminar, June 19, 2012
- Exclusion 3(a) & 3(b) - Recent Trends in Title Insurance Coverage Litigation  
Co-Speaker, ABA Torts Trial & Insurance Practice Section Annual Spring CLE and Leadership Forum, May 21, 2011
- Condemnation and Eminent Domain in Kentucky  
*Kentucky Real Estate Law and Practice*, College of Law of the University of Kentucky (1996)

## MEMBERSHIPS

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- American Bar Association
- Kentucky Bar Association
- Louisville Bar Association
- Litigation Counsel of America

## COMMUNITY INVOLVEMENT

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- Legal Aid Society, Board of Directors (previous Board Chair)
- Olmstead Parks Conservancy, Inc., Trustee
- Leadership Kentucky, Class of 2003
- Bingham Fellow Program of Leadership Louisville (2015)

## EDUCATION

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University of Kentucky College of Law J.D. 1989

- *Kentucky Law Journal*, 1987-89

- Corpus Juris Secundum Award for Significant Legal Scholarship, 1989

- Roy S. Moreland Scholarship, 1988-89

- Best Brief Award, First-Year Moot Court Program, 1987

Davidson College B.A., Economics 1985

- Included a summer at Cambridge University, studying the history, literature and art of England's Age of Revolution and Romanticism

## MORE THAN STITES & HARBISON

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Morgan serves the community as a member of the Board of Directors for the Legal Aid Society (where he previously served as Board Chair), and as a Trustee for the Olmsted Parks Conservancy in Louisville. He is a past member of the Board of Directors for the Louisville Bar Association, and currently serves on an LBA committee to monitor the integrity of judicial elections. Morgan coordinates much of the firm's pro-bono work in the Louisville office, and has been recognized as an Outstanding Volunteer Lawyer by the Legal Aid Society. He is also a past member of the Board of Directors of the Metropolitan Housing Coalition. Morgan is a graduate of Leadership Kentucky (2003) and the Bingham Fellows Program of Leadership Louisville (2015).



## ACCOLADES

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- *Martindale-Hubbell*<sup>®</sup> AV-Preeminent<sup>®</sup> Peer Review Rated
- *Best Lawyers in America*<sup>®</sup>, Commercial Litigation (2013-19)
- *Kentucky Super Lawyers*<sup>®</sup> (2007, 2012-19)