STITES & HARBISON PLLC



Chadwick A. McTighe

Title: Member

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Chad McTighe is a Member in the Louisville office and served as Chair of the Business Litigation Service Group before being elected to the firm's Management Committee. He is also Co-Chair of the firm's Class Action Team. Chad advises and represents clients in a wide range of business and commercial litigation matters, including extensive practice in class action litigation, shareholder and membership disputes, real estate litigation, data breaches, and fiduciary duty litigation. He represents clients in various industries, including oil and gas, telecommunications, insurance, financial institutions, health care, and many others. He has practiced in a number of state and federal courts and has successfully argued multiple issues of first impression resulting in published appellate decisions. He is proud to have earned the respect and confidence of his clients and his peers, as reflected in his AV-Preeminent® rating by *Martindale-Hubbell*®, his rating by *Super Lawyers*, his listing in *Best Lawyers in America*®, his recognition in *Benchmark Litigation's* Under 40 Hot List 2016, and his appointment to serve as a Special Justice on the Kentucky Supreme Court in 2023.

CAPABILITIES

Practice Areas

- Appellate Advocacy
- Arbitration, Mediation & Alternative Dispute Resolution
- Business Litigation
- Class Action, Mass Action & Multi-District Litigation
- Financial Services Litigation
- Gaming
- Litigation & Appeals

- Privacy & Data Security

RECENT ASSIGNMENTS

- Lead counsel for the plaintiff in an LLC membership dispute that went to trial, obtaining an award in excess of $500,000, including punitive damages.
- Appointed as Special Justice to the Kentucky Supreme Court in the case of *Megronigle v. Allstate Property & Casualty Insurance Company*, 671 S.W.3d 293 (Ky. 2023).
- Co-counsel for Churchill Downs Incorporated in defeating a motion for preliminary injunction and obtaining dismissal of all claims in litigation brought by Bob Baffert.
- Lead trial counsel for the defendant in a trial involving Kentucky Consumer Protection Act and other claims, obtaining a favorable damages verdict in a case in which fault was conceded.
- Appellate counsel in an interlocutory appeal successfully reversing class certification in a case involving alleged property contamination. *AT&T Corp. v. Feltner*, 2021 WL 2753980 (Ky. Ct. App. July 2, 2021).
- Appellate counsel in an appeal successfully reversing a $1.2 million judgment and obtaining a published decision setting forth the standards in Kentucky for challenging the results of a contractual appraisal process. *Kenneth D. Parrish, DMD, Ph.D., P.S.C. v. Schroering*, 636 S.W.3d 133 (Ky. Ct. App. 2021).
- Obtained summary judgment for a pharmacy services provider, recovering 100% of the amount sought (approximately $1.2 million), for breach of contract. *Comprehensive Pharmacy Services, LLC v. Highlands Hospital Corp.*, 2021 WL 1169897 (E.D. Ky. Mar. 26, 2021)
- Obtained multiple dismissals and summary judgments in data breach class actions brought in state and federal court, and has favorably settled various others..
- Obtained summary judgment for multiple defendants in a putative class action alleging a host of claims, including alleged RICO violations and fraud, relating to the enforcement of tax liens. Judgment was unanimously affirmed on appeal by the Sixth Circuit. *Brown v. Tax Ease Lien Servicing, Inc.*, 776 Fed. App'x. 291 (6th Cir. 2019).
- Obtained summary judgment, unanimously affirmed on appeal, in a putative class action alleging breaches of fiduciary duty and other claims against attorneys in connection with their representation of plaintiffs in prior putative class actions. *Doe v. Golden & Waters, PLLC*, 2019 WL 489111 (Ky. Ct. App. Feb. 8, 2019).
- Successfully defended captive insurance manager and related parties in arbitration proceedings involving alleged fraud and other misconduct, obtaining award rejecting every claim asserted following a six-day hearing.

- Successfully argued multiple appeals concerning fiduciary duty and diversion of business opportunities for limited liability companies, including the proper measure of relief, matters of first impression in Kentucky. *Patmon v. Hobbs*, 495 S.W.3d 722 (Ky. Ct. App. 2016) and Patmon v. Hobbs, 280 S.W.3d 589 (Ky. Ct. App. 2009).
- Successfully argued matter of first impression regarding the proper application of Kentucky condominium law to a riverfront marina. *Steenrod v. Louisville Yacht Club Association, Inc.*, 417 S.W.3d 234 (Ky. Ct. App. 2013).
- Successfully tried commercial lease dispute resulting in judgment in favor of client in all respects, which was affirmed on appeal. *Thirteenth Floor Entertainment Ctr., LLC v. Louisville Galleria*, LLC, 507 Fed. Appx. 473 (6th Cir. 2012).
- Obtained summary judgment on various statutory and constitutional claims challenging regulation of airport ground transportation. *Executive Transp. Sys., LLC v. Louisville Reg'l Airport Auth.*, 678 F. Supp. 2d 498 (W.D. Ky. 2010).
- Defeated Plaintiffs' effort to certify a class of current and former employees in litigation involving alleged violations of Kentucky wage and hour laws and obtained decertification of collective action involving parallel claims under the Fair Labor Standards Act. *Oetinger v. First Residential Mortgage Network, Inc.*, 2009 U.S. Dist. LEXIS 61877 (W.D. Ky. July 16, 2009).
- Defense of numerous class actions involving a variety of claims relating to insurance and annuities.

BAR ADMISSIONS

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

RECENT NEWS, ARTICLES & SPEAKING ENGAGEMENTS

- Civility and Professionalism in Litigation: Has the 'Comment Section' Invaded the Courtroom?

  panelist, 16th Annual Lively M. Wilson Memorial Lecture Series on Ethics, Professionalism and Civility, Louisville Bar Association, October 28, 2026
- Fraud: Kentucky

Practical Law Commerce Litigation State Q&A, August 7, 2025 *,with Michael E. Kleinert and Zachary M. VanVactor*

- New Landscape of Class Action Litigation: Risks, Rewards, and Reform

  Speaker, The Knowledge Group Live Webinar, August 12, 2025

- Equitable Remedies for Contract Actions: Kentucky

  Practical Law Commercial Litigation State Q&A, Thomson Reuters, May 2025 *,with Michael E. Kleinert and Zachary M. VanVactor*

- Breach of Contract Defenses: Kentucky

  Practical Law State Q&A, Thomson Reuters, December 2024 *,with Michael E. Kleinert and Zachary M. VanVactor*

- Contract Basics for Litigators: Kentucky

  Practical Law State Q&A, Thomas Reuters, December 2024 *,with Michael E. Kleinert and Zachary M. VanVactor*

- Tortious Interference: Kentucky

  Practical Law State Q&A, Thomas Reuters, August 2024 *,with Michael E. Kleinert and Zachary M. VanVactor*

- The Cost of Third-Party Data Breaches: How to Avoid a Financial Disaster

  co-speaker, The Knowledge Group Webinar, June 14, 2024 *,with Sarah Cronan Spurlock*

- 6th Circ. Drops Bettors' Appeal Over Doped Derby Horse

  By Jonathan Capriel, Law360.com, May 3, 2024 *,with Alisa Micu and Jeffrey S. Moad*

- Churchill Downs' powerful lawyers make it an unsinkable ship. Baffert and Zedan know best.

  by Bob Heleringer, Courier Journal, April 30, 2024 *,with Carol Dan Browning*

- US Chamber Urges 6th Circ. To Ax FirstEnergy Class Cert.

  By Katryna Perera, Law360.com, February 20, 2024 *,with Bethany A. Breetz, Marjorie A. Farris, Michael D. Risley and Sarah Cronan Spurlock*

- Federal Court: Start to Finish

  speaker, National Business Institute (NBI) Seminars, January 18, 2024

- Ethical Considerations

  Using LLCs to Protect Assets: Protect Clients' Assets From an LLC's Creditors and Legal Liabilities, National Business Institute Seminars (NBI), October 20, 2023

- LLC Veil Piercing and the Alter Ego Theory

  Using LLCs to Protect Assets: Protect Clients' Assets From an LLC's Creditors and Legal Liabilities, National Business Institute Seminars (NBI), October 20, 2023

- Gov. Beshear Makes Appoinments to Kentucky Boards and Commissions

  Kentucky.gov, May 12, 2023

- Suspended Horse Trainer Gets Ky. Derby Bettors' Suit Tossed

  by David Steele, Law 360.com, July 21, 2023 *,with Jeffrey S. Moad*

- Horse Trainer Baffert Loses Fight With Kentucky Derby Track

  By Elaine Briseño, Law360.com, May 26, 2023 *,with Jeffrey S. Moad*

- Class Action Litigation for In-House Counsel: Current Trends, Updates and Best Practices

In-House Connect Essential Series, November 9, 2022

- Class Action Litigation: Demystifying Trends, Developments, and Best Defense Strategies
  panel member, The Knowledge Group, February 9, 2022
- Breach of Fiduciary Duty: Kentucky
  Practical Law, Thomson Reuters, November 2021 ,*with Michael E. Kleinert and Zachary M. VanVactor*
- Refreshing Relief or Return of the Robocalls?
  ,*with Neal F. Bailen and Jeffrey S. Moad* Stites & Harbison Client Alert, April 2, 2021
- I Mailed It . . . But Can I Prove It?
  ,*with Brian R. Pollock* Stites & Harbison Client Alert, January 28, 2021
- Consumer Class Action Litigation: Tips & Strategies for Your Firm in 2020 and Beyond
  Panelist, The Knowledge Group, September 15, 2020
- Data Breach Class Action Litigation on the Rise: Winning Strategies
  WEBINAR, The Knowledge Group, 07/31/20
- Class Action Litigation in 2019: Trends and Updates to Watch for
  Webinar, The Knowledge Group, August 20, 2019
- Open Courts: Section 14 of the Kentucky Constitution and Its Impact on Tort Reform and Other Litigation-Altering Legislation
  Bench & Bar, Kentucky Bar Association, July/August 2019
- Groundhog Day? Supreme Court Strikes Down Class Arbitration Efforts…Again
  ,*with Marjorie A. Farris and Sarah Cronan Spurlock* Stites & Harbison Client Alert, April 30, 2019
- Brace Up for More Hot Buttons! Recent Developments in Class Action Litigation
  Webcast, The Knowledge Group, LLC, July 14, 2017
- 2016 Fall Right-of-Way Workshop & Symposium
  panel member, International Right of Way Association, October 7, 2016
- How to Comply Under State Law and Creating Practical Operating Procedures
  Limited Liability Companies, NBI seminars, April 22, 2015
- Employee Data Protection: FTC's Reasonable Data Security Guideposts for Employers in 2015
  Panel Member, The Knowledge Group Webcasts Series, February 13, 2015
- Chapter 6: Answer, Affirmative Defenses, and Counterclaims
  Business Torts: A Practical Guide to Litigation, American Bar Association Publishing, June 2014
- Hearsay Rules Under the Federal Rules of Evidence
  Panelist, CLE Webinar, September 10, 2013
- Pleadings and Evidentiary Issues in Federal Court
  Representing Your Client in Federal Court, National Business Institute CLE, June 27, 2013
- Thorough Discovery

Representing Your Client in Federal Court, National Business Institute CLE, June 27, 2013

- Defending Class Actions
  Global Business Magazine, December 1, 2012
- Reconsidering the Motion to Reconsider
  Bar Briefs, June 1, 2012
- Ethical Considerations with Frivolous Lawsuits
  Believe It or Not Business Lawsuits, National Business Institute, May 21, 2012
- Corporate Governance
  Believe It or Not Business Lawsuits, National Business Institute, May 21, 2012

FIRM LEADERSHIP

- Management Committee (2024-26)
- Class Action Practice Team, Co-Chair (2024-present)
- Louisville Office Recruiting Committee, Former Member
- Business Litigation Service Group, Former Chair

MEMBERSHIPS

- American Bar Association
- Kentucky Bar Association
- Louisville Bar Association

COMMUNITY INVOLVEMENT

- Leadership Louisville Class of 2026
- Kentucky Derby Festival Foundation, Board of Directors
- American Cancer Society Relay for Life

EDUCATION

- University of Notre Dame Law School J.D., *cum laude* 2004

- University of Notre Dame B.A., Program of Liberal Studies, *cum laude* 2001

MORE THAN STITES & HARBISON

Chad participated in the summer associate program at the firm while in law school. Chad is a member of the Board of Directors of the Kentucky Derby Festival Foundation. He has also served as a volunteer attorney representing victims of domestic violence and is a regular participant in numerous other volunteer and community activities, including the American Cancer Society Relay for Life.

ACCOLADES

- *Martindale-Hubbell*® AV-Preeminent® Peer Review Rated
- *The Best Lawyers in America*®, Commercial Litigation and Mass Tort Litigation / Class Actions - Defendants (2023-27)
- *Benchmark Litigation*, Future Star (2018-26)
- *Chambers USA, "America's Leading Lawyers for Business,"* General Commercial (2023-26)
- *Legal500*, US City Elite, Kentucky Elite, Commercial Disputes (2026)
- *Benchmark Litigation*, Under 40 Hot List (2016)
- *Kentucky Super Lawyers*® (2015-26)
- *Kentucky Super Lawyers*®, Rising Star (2013-14)
- Professional Sector Network Global Awards, Class Action Adviser of the Year–USA (2014)