STITES & HARBISON PLLC



## Jeffrey S. Moad

**Title:** Member

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Jeff Moad is a Member in the firm's Business Litigation Service Group in Louisville. He practices complex business and commercial litigation, financial services litigation, and professional liability litigation.

After graduating first in his class from the University of Kentucky College of Law, Jeff was a law clerk in the United States District Court for the Western District of Kentucky.

He now represents clients in high-stakes matters in state and federal courts in Kentucky and elsewhere. He has counseled a wide range of clients in litigation and in investigations, including brokerage and investment advisory firms, gaming and entertainment firms, national and regional banks and other lenders, law firms, pharmaceutical firms, telecommunications companies, insurers, manufacturers, food and beverage companies, small business owners, individuals, and others.

Jeff serves on the firm's general counsel, ethics, and recruitment committees, and he leads the firm's pretrial practice and e-discovery team.

## CAPABILITIES

### Practice Areas

- Business Litigation
- Litigation & Appeals
- Class Action, Mass Action & Multi-District Litigation
- Financial Services Litigation
- Professional Liability Litigation
- Appellate Advocacy

- Antitrust, Consumer Protection & Attorney General Defense
- Arbitration, Mediation & Alternative Dispute Resolution
- Pretrial Practice & eDiscovery
- Government & Regulatory Litigation
- Employment Litigation
- Fair Credit Reporting Act (FCRA)

## RECENT ASSIGNMENTS

- Prosecuted claims on behalf of corporate client for breaches of representations and warranties in an asset purchase agreement. Obtained an $11 million judgment and successfully pierced the corporate veil after trial and appeal.
- Counsel for online game companies in successful defense of claims asserted under Kentucky's gambling loss recovery act.
- Obtained dismissal of all claims of a putative class of bettors against Churchill Downs Incorporated relating to the 2021 Kentucky Derby; the Sixth Circuit unanimously affirmed. *Mattera v. Baffert*, 100 F.4th 734 (6th Cir. 2024)
- Counsel for Churchill Downs Incorporated in defeating a motion for preliminary injunction and obtaining dismissal of all litigation brought by Bob Baffert relating to trainer suspension; defeated a motion for a preliminary injunction in subsequent litigation initiated the following year by horse owner. *Baffert v. Churchill Downs Inc.*, 2023 WL 2089221 (W.D. Ky. Feb. 17, 2023).
- Counsel for an independent institutional investment consultant in defense of derivative, taxpayer, and Attorney General claims asserted on behalf of a public pension system for alleged breach of statutory and fiduciary duties, civil conspiracy, and aiding and abetting breaches of fiduciary and statutory duties. *Overstreet v. Mayberry*, 603 S.W.3d 244 (Ky. 2020).
- Obtained $1.4 million jury verdict as trial counsel for a small business and its owner asserting fraud and civil conspiracy claims relating to a real estate transaction.
- Obtained multiple temporary restraining orders for automotive industry client in trade secret, restrictive covenant, and fiduciary duty litigation concerning competitive employee departures.
- Successfully defended a Churchill Downs-Keeneland joint venture from a challenge to the award of a license issued by the Kentucky Horse Racing Commission permitting the joint venture to operate a $200 million racing and gaming facility.
- Obtained dismissal of claims asserted under Kentucky's gambling loss recovery act relating to historical horse racing.

- Successfully argued for complete preemption under ERISA of claims against an independent medical record review organization in appeal before the Sixth Circuit, and successfully opposed the petition for a writ of certiorari to the U.S. Supreme Court.
- Argued and briefed Sixth Circuit appeal in dispute involving a complex options and futures trading strategy.
- Won summary judgment for insurer on all class claims and individual claims in multistate federal court class action involving fixed-index annuities.
- Counsel for distiller in putative class action alleging nuisance and trespass relating to ethanol emissions.
- Counsel for banks, loan servicers, and finance companies in defense of FCRA, FDCPA, and TCPA claims.
- Counsel for regional law firm in dispute involving alleged legal malpractice in the negotiation of a stock purchase agreement.
- Counsel for law firm in legal malpractice litigation alleging professional negligence in commercial litigation of trespass, private nuisance, and negligence claims.

## 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

- 6th Circ. Drops Bettors' Appeal Over Doped Derby Horse
  By Jonathan Capriel, Law360.com, May 3, 2024 *,with Chadwick A. McTighe and Alisa Micu*
- Bettors' Appeal Over Doped Derby Horse Heard By 6th Circ.
  by David Steele, Law360.com, March 19, 2024
- Suspended Horse Trainer Gets Ky. Derby Bettors' Suit Tossed
  by David Steele, Law 360.com, July 21, 2023 *,with Chadwick A. McTighe*
- Horse Trainer Baffert Loses Fight With Kentucky Derby Track
  By Elaine Briseño, Law360.com, May 26, 2023 *,with Chadwick A. McTighe*

- Refreshing Relief or Return of the Robocalls?
  ,*with Chadwick A. McTighe and Neal F. Bailen* Stites & Harbison Client Alert, April 2, 2021
- Anything Hurts So Long As Congress Says It Hurts: Article III Standing Two Years After Spokeo
  presentation to Southern Law Network, March 22, 2018
- The Pot's Right: It's Time for Congress To Go 'All-In' for Online Poker
  Note, 102 KY. L.J. 757 (2013)

## FIRM LEADERSHIP

- Office of General Counsel, Ethics Subcommittee, Member
- Louisville office Recruiting Committee, Member

## MEMBERSHIPS

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

## COMMUNITY INVOLVEMENT

- Legal Aid Society, Board of Directors (2025-present)
- Joint Local Federal Rules Commission, United States District Courts for the Eastern District and Western District of Kentucky (2025-present)
- Louisville Bar Foundation, Board of Directors
- Legal Aid Society, Justice for All Campaign (2025), Board Member
- Our Lady of Lourdes Church

## EDUCATION

- University of Kentucky College of Law J.D., *summa cum laude* 2014
- Western Kentucky University B.A., Political Science, Minor in Business Administration *summa cum laude* 2010

## BEFORE STITES & HARBISON

Jeff began his career as an Associate Director for Chapter Services for the Kappa Alpha Order National Administrative Office, serving as an educational and leadership consultant for 36 undergraduate chapters in nine states (2010-2011). During law school, Jeff worked as a judicial intern for the United States Court of Appeals for the Sixth Circuit (2014), and as a summer associate for the firm (2012 and 2013).

## ACCOLADES

- *Best Lawyers in America*®, Commercial Litigation (2026-7)
- *Best Lawyers in America*®, Ones To Watch, Commercial Litigation; Product Liability Litigation - Defendants (2021-25)
- *Kentucky Super Lawyers*®, Rising Star (2020-26)