



EDWARD R. SPALTY

Partner – Kansas City
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EDUCATION

Columbia Law School
(J.D., 1973)

Emory University
(B.A., 1968)

PRACTICE AREAS

Antitrust and Distribution
Business Litigation
Class Action
Non-Compete/Trade Secrets
Tort & Catastrophic Events

ADMITTED TO BAR

Missouri
Federal Courts of: Eastern District of
Wisconsin, Kansas, Nebraska, Colorado
and Missouri
U.S. Court of Federal Claims
U.S. Court of Appeals, Tenth Circuit
U.S. Court of Appeals, Ninth Circuit
U.S. Court of Appeals, Eighth Circuit
U.S. Supreme Court

PROFESSIONAL ACTIVITIES

The Missouri Bar
American Bar Association
Platte County Bar Association
Lawyers Association of Kansas City
Kansas City Metropolitan Bar Association
(Chairman, Antitrust, Business Tort
and Franchise Law, and Business
Litigation Committees)

CIVIC & CHARITABLE ACTIVITIES

Easter Seals, Inc. (Past Board Member,
Officer and Executive Committee,
Outside General Counsel)
UCP Easter Seals Missouri (Past Board
Member, Executive Committee and
State Chairman)
Columbia University Club of Kansas City
(Founding Director)
The National Golf Club of Kansas City
(Founding member)

LAW PRACTICE

A skilled litigator and chair of the Kansas City Business Litigation practice group, Ed Spalty focuses on franchise and complex business litigation, and intellectual property, non-compete and trade secret disputes. He previously served as Managing Partner of the Kansas City office and co-chair of the Antitrust and Distribution practice group.

As one of the few franchise attorneys in the region, Ed represents start-up and established franchisors—most often in the hotel and real estate brokerage industries—in all legal issues that develop in franchised and licensed networks. He is national counsel for two of the world's largest franchisors, represents 20 of the most famous 100 brands, and is outside general counsel to one of the best known health care non-profits.

On the transactional side, he counsels on the development of optimal corporate structure, agreements, asset protection, operational issues, registration, sales, and on the impact of antitrust and trade regulation laws. He also guides franchisors through the process of trademark registration and licensing, and on the protection of those trademarks, trade secrets, and other intellectual property.

In state, federal, and appellate courts across the country, Ed litigates vicarious liability claims against franchisors. Those allegations seek franchisor liability for a host of wrongs and harms including fraud, personal injury caused by negligence, product liability, consumer protection laws and deceptive practices, civil rights, employment discrimination, harassment, contractual issues, trademark infringement, and violations of various federal and state statutes and licensing laws.

Ed's experience extends to general business tort, class action, product liability, and antitrust cases. The majority of his business litigation cases involve trademark infringement, non-compete, and trade secret matters. In the product liability area, he defends distributors and manufacturers in claims arising out of accidents involving mechanical products. Within the antitrust arena, Ed assists in defending claims of predatory pricing, refusals to deal, product bundling, price discrimination, and price-fixing.

In connection with the 2010 oil spill in the Gulf of Mexico, Ed provides advice and counsel with regard to possible defendants, claims, and marshalling proof of damages.

SIGNIFICANT ACCOMPLISHMENTS

BTI Client Service All-Star Team (2006, 2008-2009), The BTI Consulting Group

The Best Lawyers in America (15+ consecutive years, including the most recent edition) for Franchise Law

Chambers USA: America's Leading Lawyers for Business (Franchising - National Level, multiple years)

Lex Mundi, Litigation, Arbitration and Dispute Resolution (Chair-elect)

Missouri/Kansas Super Lawyers® (multiple years)

KC Magazine, Top 100 Attorneys in Missouri & Kansas (multiple years)

Named "Best of the Bar," by the *Kansas City Business Journal*

Numerous Who's Who's

AV® Peer Rated, *Martindale-Hubbell*



**CIVIC & CHARITABLE ACTIVITIES
(cont'd)**

Easter Seals, Inc. (Past Board Member)
German-American Chamber of Commerce
(Vice-President, Kansas City Chapter)

PRESENTATIONS & PUBLICATIONS

Co-Author, "*Awuah v. Coverall North America*: Is the franchising model at risk," Association of Corporate Counsel Lexology (June 2010)

Co-Editor, "A Guide to North American Arbitrators and Mediators," Lex Mundi (2009)

Moderator, "E-Discovery: A Comprehensive Overview," Lex Mundi North America Conference (February 2008)

Moderator, "European Trends in Dispute Resolution," Lex Mundi Dispute Resolution Conference (November 2007)

Author, "Real Estate Professionals," Chapter 5, Missouri Professional Liability, The Missouri Bar CLE (2005)

