



TYSON H. KETCHUM

PARTNER

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Ty Ketchum is a litigation attorney whose work has been recognized by his peers and the legal community for several years. Ty has been named among *The Best Lawyers in America*® for Litigation - Labor and Employment and recognized as a Labor & Employment Star by Benchmark Litigation. He has been included on the Kansas City Business Journal's Best of the Bar list on multiple occasions and named a *Missouri/Kansas Super Lawyer*® from 2013-present.

Ty primarily focuses upon employment, insurance coverage, personal injury and commercial litigation cases. His practice is unique in that he has handled high-stakes cases for clients involving many different areas of law.

In connection with this diverse litigation practice, Ty has tried cases to verdict before courts in Missouri and Kansas and has argued before the Missouri Supreme Court, Missouri Court of Appeals and the U.S. Court of Appeals, Eighth Circuit.

Ty is also managing attorney of Armstrong Teasdale's Kansas City, Missouri, office and a member of the firm's Compensation Committee. In addition, he previously served as the firm's deputy general counsel.

EDUCATION

- University of Missouri School of Law (J.D., 2000)
- Truman State University (B.S., 1996)

PROFESSIONAL ACTIVITIES

- American Board of Trial Advocates
- Appointment by Missouri Supreme Court to Disciplinary Committee for Region IV (2021-present)
- The Missouri Bar
- Kansas Bar Association
- Kansas City Metropolitan Bar Association (Former Co-Chair, CLE Advisory Committee; Member, Board of Directors, 2010-2012)
- Missouri Organization of Defense Lawyers

CHARITABLE AND CIVIC INVOLVEMENT

SERVICES AND INDUSTRIES

Appellate

Class Action Litigation

Complex Commercial Litigation

Employment and Labor

Insurance Coverage Litigation

Internal Investigations and Regulatory Compliance

Litigation

Health Care and Life Sciences

Ethics and Professional Responsibility

ADMISSIONS

Missouri

Kansas

U.S. District Court, District of Kansas

U.S. District Court, Western District of Missouri

U.S. District Court, Eastern District of Missouri

- Visitation Parish
- Phi Kappa Theta Fraternity, Truman State University (Member)

ACCOLADES

- Obtained #5 Judgment or Bench Award in Missouri (2021)
- Benchmark Litigation, Labor and Employment Star (2019-present)
- *The Best Lawyers in America*[®]; Litigation - Labor and Employment (2019-present); Employment Law - Management (2021-present); Personal Injury Litigation - Defendants (2023-present)
- [Missouri/Kansas Super Lawyers](#)[®] (2013-present); Top 100 Missouri & Kansas (2021); *Super Lawyers*[®], Rising Star (2010-2012); *Super Lawyers*[®], Business Edition (2013-2015)
- Best of the Bar, *Kansas City Business Journal* (multiple years)

EXPERIENCE

Defense Verdict in Employment-Related Jury Trial

Obtained defense verdict in Jackson County, Missouri, jury trial on claims of disability discrimination, employment retaliation, workers' compensation retaliation and whistleblower retaliation. The plaintiff alleged discrimination and retaliation following multiple job-related injuries and when defendant proposed termination following the plaintiff's failure to participate in the defendant's disability accommodation process.

Defense Jury Verdict for Employer in Discrimination Case

We obtained a total defense jury verdict for an employer, in the Circuit Court of Jackson County, Missouri, in a case seeking approximately \$500,000 in damages based on alleged race and age discrimination and constructive discharge under the Missouri Human Rights Act. The plaintiff was a former human resources employee who alleged that she was demoted to a non-human resources assignment based on her age and Hispanic race in an effort to force her to quit employment. The defendant denied that any protected characteristics played a role in the assignment and that the plaintiff quit for a better employment opportunity.

Summary Judgment for Insurer in Garnishment Action

Obtained summary judgment on behalf of an insurer in a garnishment action seeking to collect on a \$5,150,000 arbitration award against the insured. We demonstrated that the insurer correctly denied a defense and indemnity to the insured pursuant to a household resident exclusion of a homeowners insurance policy.

Dismissal of Negligence Claims Against School Officials

Obtained dismissal of negligence claims against public school officials in the Circuit Court of Jackson County, Missouri. The plaintiff alleged wrongful death from a shooting in the parking lot of a public building during a public event. We demonstrated that official immunity barred the claims.

Defense Verdict for Public Entity in Vendor Contract Dispute

We obtained a full defense verdict in a jury trial in Jackson County, Missouri, on behalf of a public entity regarding a contract dispute with a vendor. The plaintiff alleged

representations from the public entity's leadership induced performance in support of a claim for breach of warranty ex contractu. The jury agreed with our defense that the representations did not happen and that the plaintiff did not prove damages.

Obtained Defense Verdict for School District on Discrimination, Retaliation Claims

Obtained a full defense jury verdict in Jackson County, Missouri, circuit court for a school district on claims of race and disability discrimination and retaliation under the Missouri Human Rights Act, and retaliation under Missouri's public employee whistleblower protection statute. The plaintiff, who had been terminated from employment following discovery of time fraud, sought more than \$500,000 in damages.

Defense Verdict in Discrimination, Retaliation Case

Obtained a defense verdict in a Jackson County, Missouri jury trial on claims of race, gender, and national origin discrimination and retaliation. The plaintiff alleged that she did not receive a new contract as a school vice principal after making complaints of retaliation under the Missouri Human Rights Act.

Defense Verdict in Jury Trial for School District

Obtained a defense verdict in a Jackson County, Missouri jury trial in favor of our client, a school district. The plaintiff alleged reverse race discrimination, harassment and retaliation related to his termination as a constructive services department manager. The court entered summary judgment on the harassment and retaliation claims just before trial. The jury returned a unanimous defense verdict on the reverse discrimination claim.

\$2.3 Million Judgment for Insurance Client

Secured judgment for insurance client and its insured in the U.S. District Court for the Eastern District of Missouri for more than \$2.3 million in a case concerning which of two insurers would pay for the settlement of an underlying civil action. Following jury and bench trials in favor of the client, the court awarded nearly all damages sought as well as more than \$646,000 in prejudgment interest.

Summary Judgment for Restaurant Client on Title VII Claims

Obtained summary judgment on Title VII claims in Kansas federal court for client in restaurant industry. The plaintiff alleged race discrimination, harassment and retaliation, and sought \$225,000 in damages.

Missouri Human Rights Act Trial Work

Tried several Missouri Human Rights Act cases to juries in the Circuit Court of Jackson County, Missouri, including claims of age, race, gender and disability discrimination; race and age retaliation; and age and disability harassment/hostile work environment.

Defense Verdict for Insurance Client

Obtained a defense verdict for our insurance client following a three-week trial. The plaintiff sought \$3.1 million related to a consent decree where it agreed to clean up soil and groundwater contamination from a manufacturing site. The insurers asserted that the plaintiff knew about the contamination for decades and did not properly notify its insurers, and that prior claims had been made associated with the contamination without proper notice. The jury found in favor of the insurers on all claims.

Obtained Reversal of Decision in Favor of Education Client

Argued a case to the Missouri Supreme Court obtaining reversal of lower court's judgment allowing damages in excess of the statutory damage cap. The Court found, for the first time, that a sovereign entity's liability is capped at \$300,000 (plus inflation)

irrespective of the amount of liability insurance purchased by the sovereign.

Secured Defense Verdict for Client on Appeal

Secured writ of prohibition for education industry client, making defense verdict final. Investigated and responded to untimely post-verdict attempt to amend pleadings. Prevailed on appeal when post-verdict actions attempted without jurisdiction.

Dismissal of Suit for Public Entity in the Education Industry

Won a dismissal after removal to federal court on behalf of a public entity and its employees for failure to exhaust administrative remedies with proper administrative agency.

Preliminary Injunction in Discrimination Investigation Matter

Obtained a preliminary injunction order in federal court enjoining the Missouri Commission on Human Rights from investigating allegations of discrimination filed against client.