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Board Certified Truck Accident Law Advocate



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**Employment**

<b>Hendy Johnson Vaughn Emery</b> <b>Partner</b>	<b>2018 – Present</b>
<b>Morgan &amp; Morgan</b> <b>Partner</b>	<b>2014 – 2018</b>
<b>Schachter, Hendy &amp; Johnson</b> <b>Partner</b>	<b>2012 – 2014</b>
<b>Busald Funk Zevely, P.S.C.</b> <b>Partner</b>	<b>2002 – 2012</b>

**Education**

<b>Salmon P. Chase College of Law</b>	<b>2002</b>
<b>Murray State University</b>	<b>1999</b>
<b>Conner Senior High School</b>	<b>1995</b>

**Admitted to Practice Law**

<b>Ohio State Courts</b>	<b>2002</b>
<b>Kentucky State Courts</b>	<b>2003</b>
<b>Eastern District of Kentucky Federal Court</b>	<b>2003</b>
<b>Western District of Kentucky Federal Court</b>	<b>2003</b>
<b>Southern District of Ohio Federal Court</b>	<b>2004</b>
<b>6<sup>th</sup> Circuit Court of Appeals</b>	<b>2009</b>
<b>Judicial Panel on Multidistrict Litigation</b>	<b>2011</b>

## Awards/Honors

<b>Top 50 Kentucky Super Lawyers</b>	<b>2020 &amp; 2021</b>
<b>AAJ Certificate of Recognition</b>	<b>2020</b>
<b>AAJ Traumatic Brain Injury Litigation Group Chair's Award of Excellence</b>	<b>2020</b>
<b>Board Certified Truck Accident Law Advocate By the National Board of Trial Advocacy (NBTA)</b>	<b>2019 – Present</b>
<b>Kentucky Super Lawyers</b>	<b>2013 - Present</b>
<b>AV Preeminent Peer Review Rated by Martindale-Hubbell</b>	<b>2009 - Present</b>
<b>Award of Appreciation - Outstanding Board Member, Kentucky Justice Association</b>	<b>2007</b>

## Professional Activities

### Memberships

**Kentucky Justice Association (KJA)**  
**Ohio Association for Justice (OAJ)**  
**American Association for Justice (AAJ)**  
**Interstate Trucking Litigation Group**  
**Traumatic Brain Injury Litigation Group**  
**Distracted Driving Litigation Group**  
**Motor Vehicle Section**  
**Academy of Truck Accident Attorneys**  
**Southern Trial Lawyers Association**  
**Kentucky Bar Association (KBA)**  
**Northern Kentucky Bar Association (NKBA)**

### Board of Governors

<b>Kentucky Justice Association</b>	<b>2003 – Present</b>
<b>American Association for Justice.</b>	<b>2014 – 2017</b>
<b>Northern Kentucky Bar Association</b>	<b>2005 – 2007</b>

### Positions Held

<b>KJA</b>	
<b>Secretary</b>	<b>2020 – 2021</b>
<b>Treasurer</b>	<b>2019 – 2020</b>
<b>District Vice President</b>	<b>2013 – 2017</b>
<b>Seminar Chair (for all KJA Seminars)</b>	<b>2012, 2014 – 2017, 2020</b>

<b>Traumatic Brain Injury Seminar Chair</b>	<b>2021</b>
<b>Trucking Seminar Chair</b>	<b>2017 &amp; 2020</b>
<b>Trial Seminar Chair</b>	<b>2015 &amp; 2018</b>
<b>Traveling Auto Seminar Chair</b>	<b>2014 &amp; 2019</b>
<b>Nursing Home Seminar Chair</b>	<b>2012 &amp; 2013</b>
<b>Destin Seminar Co-Chair</b>	<b>2014</b>
<b>Subrogation Seminar Co-Chair</b>	<b>2012</b>
<b>Automobile Seminar Chair</b>	<b>2011</b>
<b>Amicus Curiae Committee</b>	<b>2012 – Present (Current Chair)</b>

**AAJ**

**Traumatic Brain Injury Litigation Group**

<b>Secretary</b>	<b>2020 – 2021</b>
<b>Treasurer</b>	<b>2019 – 2020</b>
<b>BIAA Liaison</b>	<b>2018 – 2019</b>

**Trucking Litigation Group**

**Broker Liability Committee Co- Chair 2019 – 2021**

**Distracted Driving Litigation Group**

<b>Chair</b>	<b>2018 – 2019</b>
<b>Co-Chair</b>	<b>2016 – 2017</b>

**Nursing Home Litigation Group**

<b>Chair</b>	<b>2017 – 2018</b>
<b>Chair-Elect</b>	<b>2016 – 2017</b>
<b>Vice Chair</b>	<b>2015 – 2016</b>
<b>Secretary</b>	<b>2014 – 2015</b>
<b>Treasurer</b>	<b>2013 – 2014</b>

**Toning Shoe Litigation Group**

**Co-Chair 2011 – 2012**

**Exchange Advisory Committee 2014 – 2017**

**Section & Litigation Group Coordination Committee 2014 – 2017**

**ATAA**

<b>Board of Regents</b>	<b>2020-2021</b>
<b>No Shoulder Parking &amp; Safety Initiative Committee Chair</b>	<b>2021</b>

## Teaching Activities

Salmon P. Chase College of Law

\* Adjunct Professor: National Trial Advocacy Team 2003 – 2006

\* Adjunct Professor: Trial Advocacy Class 2008

## Articles

1. *Suddenly It's No Longer the Defendant's Fault* (KATA, The Advocate, Mar/Apr 2004)
2. *Who Should Get the Benefit: The Injured Victim or the Tortfeasor?* (KATA, The Advocate, Sept/Oct 2004)
3. *Procedures for Obtaining Kentucky State Police Records* (KATA, The Advocate, Mar/Apr 2005)
4. *Update on Coots v. Allstate & KRS 411.188(2)* (KATA, The Advocate, May/June 2005)
5. *Using Demonstrative Evidence: Vehicular Collision Issues* (KATA, The Advocate, Sept/Oct 2005; Co-authored with Tim Maher, Wolf Technical Services)
6. *Multiple Cars, Multiple UM & UIM Policies* (KATA, The Advocate, Nov/Dec 2005)
7. *Amicus Curiae Committee Update* (KATA, The Advocate, Mar/Apr 2006)
8. *Major Differences Between Ohio & Kentucky Law* (KATA, The Advocate, Nov/Dec 2006)
9. *You Can't Buy Insurance for Damage Caused by a "Phantom"* (KATA, The Advocate, Mar/Apr 2007)
10. *The "Threshold" Battle : Using the Defense Doctor to Your Advantage* (KJA, The Advocate, Jan/Feb 2008)
11. *Answers to Common PIP Questions* (KJA, The Advocate, May/June 2008)
12. *Attorneys Busald and Vaughn: Sensible thoughts on success* (The Medical-Legal News, July/August 2009)
13. *Warning – Beware of a Potential UIM Trap – Proceed With Caution* (KJA, The Advocate, May/June 2009)
14. *Are You Driving on Thin Ice? 'Full Coverage' Might Not Be What You Think It Is* (KJA, The Advocate, November/December 2009; NKBA, Lex Loci, December 2009; The Village Breeze, December 2009)

15. *Something You May Not Know About Medical Bills At Trial* (The Village Breeze, April 2010)
16. *My Lawyer Isn't Working On My Injury Case* (The Village Breeze, October 2010)
17. *How To Choose The Right Nursing Home For Your Loved One* (The Village Breeze, February 2011)
18. *Please Sign Here, Here, Here and Here...(and your right to Trial By Jury just went bye-bye!!)* (KJA, The Advocate, January/February 2012)
19. *Settlement Releases – You Better Know What Your Client is Signing* (KJA, The Advocate, March/April 2015)
20. *Using Animations at Trial* (AAJ, Trial Magazine, December 2015)
21. *The Power of Cell Phone Logs* (AAJ, Trial Magazine, June 2018)
22. *Posttraumatic Stress Disorder is Real and Often Overlooked* (AAJ Trucking Litigation Group, Journal of Trucking Litigation, Summer/Fall 2018).
23. *Posttraumatic Stress Disorder is Real and Often Overlooked* (KJA, The Advocate, January/February 2019)
24. *Posttraumatic Stress Disorder is Real and Often Overlooked* (NKBA, Lex Loci, February 2021)
25. *Auto & Truck Inspection Toolkit* (AAJ, Trial Magazine, April 2021)

#### Presentations

1. *Getting Started: How to Prepare for a Career in the Courtroom* (KATA, Seminar for Chase Law Students, 2003)
2. *Proving Damages in Automobile Cases* (Salmon P. Chase Inn of Court, 4/20/05)
3. *The Subrogation User Guide* (KATA, Overcoming Obstacles in Settlements: The Subrogation Seminar, 6/17/05 & 6/24/05)
4. *Medicare Recovery in Personal Injury Claims* (KBA, Kentucky Law Update, 9/9/05)
5. *Getting Started: Young Lawyers' Survival Tips* (KBA, New Lawyer's Program, 10/25/05)
6. *Litigating an Auto Case* (NKBA, Young Lawyer's Potpourri of Last Minute CLE, 11/18/05)

- 7. *Medicaid Liens* (KATA, Subrogation Strategies – Protecting You and Your Client, 4/21/06 & 4/28/06)**
- 8. *Update on Kentucky Uninsured and Underinsured Motorist Law: Everything You Should Know* (KBA, Kentucky Law Update, 9/28/06)**
- 9. *Courtroom Etiquette* (Salmon P. Chase College of Law, 2/12/07)**
- 10. *Litigating a Personal Injury Case: Plaintiff and Defense Perspectives* (KBA, New Lawyers Program, 4/5/07)**
- 11. *Military Subrogation* (KATA Subrogation Seminar, 4/27/07 & 5/11/07)**
- 12. *Kentucky Uninsured, Underinsured & PIP Issues* (NKBA, Free CLE Day, 5/25/07)**
- 13. *Flip This Case – How to Prepare & Settle Quickly* (KJA Car Wreck Cases Seminar, 4/25/08 & 5/9/08)**
- 14. *Civil Procedure and Personal Injury* (Chase Alumni Association, A View From Across the River: Nuances Between Kentucky and Ohio Practice, 10/10/08)**
- 15. *Flip This Case – How to Prepare & Settle Quickly* (NKBA Tort & Insurance Seminar, 10/24/08)**
- 16. *Prosecuting and Defending an Auto Accident Case* (KBA, 2009 New Lawyer's Program, 1/16/09)**
- 17. *Prosecuting and Defending an Auto Accident Case* (KBA, 2010 New Lawyer's Program, 1/13/10)**
- 18. *UM/UIM Issues: Now You See Me, Now You Don't – Issues and Strategies Surrounding Your Client's Insurer* (KJA Auto Litigation Seminar, 6/4/10 & 6/16/10)**
- 19. *Prosecuting and Defending an Auto Accident Case* (KBA, 2011 New Lawyer's Program, 1/26/11)**
- 20. *What's the Definition of "Is?" : Ethical Considerations & Implications When Settling Your Client's Injury Claim* (KJA Auto Litigation Seminar, 5/20/11 & 5/25/11)**
- 21. *Effective Mediation Techniques : Plaintiff's Perspective* (KBA 2011 Annual Convention, 6/16/11)**

22. *Learning the Ins and Outs of Uninsured and Underinsured Motorist Coverage in Kentucky* (KBA 2011 Law Update, 9/2/11)
23. *Automobile Accident Litigation Basics* (KBA Young Lawyers CLE Seminar, 10/28/11)
24. *Prosecuting and Defending an Auto Accident Case* (KBA 2012 New Lawyer's Program, 1/25/12)
25. *Rules in Nursing Home Cases* (New Jersey Association for Justice, Annual Boardwalk Seminar, 4/27/12)
26. *Rules in Nursing Home Cases* (KJA Nursing Home Seminar, 5/1/12)
27. *Prosecuting and Defending an Auto Accident Case* (KBA 2013 New Lawyer's Program, 2/13/13)
28. *Rules in Nursing Home Cases* (SeminarWeb, 3/28/13)
29. *Nursing Home Jury Instructions* (Southwest Ohio Trial Lawyers Association, Annual Spring Seminar, 4/18/13)
30. *Ethical Considerations in Nursing Home Cases* (KJA Nursing Home Seminar, 5/31/13)
31. *Ethical Considerations & Implications When Settling Your Client's Injury Claim* (KJA Auto Litigation Seminar, 6/7/13 & 6/14/13)
32. *Ethical Considerations When Handling a Tractor Trailer Case* (KJA Litigating Truck Cases, 6/28/13)
33. *Right Trial, Wrong Verdict* (AAJ Nursing Home Seminar, 11/15/13)
34. *Prosecuting and Defending an Auto Accident Case* (KBA 2014 New Lawyer's Program, 1/24/14)
35. *Developing Nursing Home Rules to Frame Your Case* (SeminarWeb, 1/30/14)
36. *Ethical Considerations in Mediation & Settlement* (KJA Successful Strategies at Mediation, 5/16/14)
37. *How to Work Up & Settle a Car Wreck Case* (KJA Day in the Life of a Car Wreck Lawyer, 6/10/14, 6/17/14 & 6/24/14)
38. *An Overview of Uninsured & Underinsured* (KJA Day in the Life of a Car Wreck Lawyer, 6/10/14, 6/17/14 & 6/24/14)

39. *Car Wreck Workshop* (KJA Day in the Life of a Car Wreck Lawyer, 6/10/14, 6/17/14 & 6/24/14)
40. *Ethical Considerations When Settling a Car Wreck Case* (KJA Day in the Life of a Car Wreck Lawyer, 6/10/14, 6/17/14 & 6/24/14)
41. *Effective iVoir Dire* (KBA Annual Convention, 6/19/14)
42. *Nursing Home Resident Falls* (AAJ Annual Convention, 7/29/14)
43. *Prosecuting and Defending an Auto Accident Case* (KBA 2015 New Lawyer's Program, 1/29/15)
44. *The Devil's in the Details: Pitfalls in Negotiations and Releases* (KJA Demands, Negotiations and Bad Faith, 5/8/15)
45. *iVoir Dire* (KJA The iPad in Practice: All You Need to Know to Get from the iPad Box to the Jury Box, 5/12/15)
46. *Using iJuror at Trial* (SeminarWeb, 7/22/15)
47. *Developing Rules to Help Shape Liability* (Morgan & Morgan Personal Injury Seminar, 1/7/16)
48. *Learning From Our Mistakes* (New Jersey Association for Justice, Annual Boardwalk Seminar, 4/7/16)
49. *Developing Nursing Home Rules to Frame Your Case* (SeminarWeb, 6/13/16)
50. *Big Firm Lessons for the Small Firm* (AAJ Annual Convention, 7/22/16)
51. *How to Listen to Your Focus Group* (NJAJ Meadowlands Seminar, 11/18/16)
52. *Defense's Disconnect Between a PI Plaintiff and Real Life* (NJAJ Meadowlands Seminar, 11/18/16)
53. *How to Handle a Personal Injury Case* (KBA 2017 New Lawyer's Program, 1/19/17)
54. *Depositions for Specific Injuries: Fall Cases* (AAJ Nursing Home Litigation Group, Deposition College, 3/30/17)
55. *Dealing with Defenses – Example for Resident Refusals* (AAJ Nursing Home Litigation Group, Deposition College, 3/30/17)



- 56. *Preparing for your 1<sup>st</sup> Trial: Calm Down....And Don't Wet Your Pants* (OAJ Annual Convention, New Lawyers Program, 5/4/17)**
- 57. *iPad Tools for Efficiency* (KJA Technology & Social Media Seminar, 5/23/17)**
- 58. *Identifying the Proper Parties in a Trucking Case* (KJA Trucking Seminar, 6/9/17)**
- 59. *Distracted Driving: Litigation, Professional and Personal Considerations* (KJA Auto Seminar, 6/16/17)**
- 60. *Distracted Driving: Defining the Problem and Expanding Liability* (AAJ Annual Convention, 7/24/17, Co-Presentation with Joel Feldman)**
- 61. *Using the iPad at Trial* (Southwest Ohio Trial Lawyers Association, 10/27/17)**
- 62. *Voir Dire Law: Ohio vs. Kentucky* (SWOTLA, 10/27/17)**
- 63. *The Auto Crash Trial Checklist* (Advocacy 360, Auto Crash Litigation 5.0, 4/26/18)**
- 64. *The Auto Crash Trial Checklist* (AAJ Jazz Fest, 5/4/18)**
- 65. *Standards in Neuropsychological Testing: How to Show Violations by the Defense Expert* (AAJ Traumatic Brain Injury Litigation Group, Member's Only Seminar, 12/2/18)**
- 66. *Preparing for your 1<sup>st</sup> Trial: Calm Down....And Don't Wet Your Pants* (SeminarWeb, 2/6/19)**
- 67. *How to Prepare Your Client & Family for Litigation* (AAJ Best of the Best: Mastering the Fundamentals of a TBI Case, 4/10/19)**
- 68. *Trying the Truck Case* (NJAJ Boardwalk Seminar, Trucking Section, 5/9/19)**
- 69. *De Novo Filed – Time for Trial* (NJAJ Boardwalk Seminar, Auto Section, 5/10/19)**
- 70. *Major Difference Between Auto and Commercial Motor Vehicles Cases* (KJA Essentials for Every Car Wreck Lawyer, 6/4/19, 6/11/19, 6/18/19 & 6/25/19)**
- 71. *Preparing for Your MVA Trial* (KJA Essentials for Every Car Wreck Lawyer, 6/4/19, 6/11/19, 6/18/19 & 6/25/19)**
- 72. *Ethical Issues in the Settlement of Personal Injury Cases* (KJA Essentials for Every Car Wreck Lawyer, 6/4/19)**

73. *Understanding the Law of Damages (KJA Essentials for Every Car Wreck Lawyer, 6/11/19)*
74. *Experts in Trucking Cases (KJA Expert Seminar, 6/7/19)*
75. *Using iPad at Trial (SeminarWeb, 6/27/19)*
76. *Courtroom Technology – Using the iPad at Trial (AAJ Annual Convention, 7/29/19)*
77. *Arranging for and Attending the Truck/Vehicle Inspections: What Details and Experts are Needed? (ATAA Annual Symposium, 9/12/19)*
78. *Taking the 30(b)(6) Deposition of a Trucking Company (ATAA Webinar, 9/18/19)*
79. *Experts in Trucking Cases (OAJ Winter Convention, 11/9/19)*
80. *Setting Up Your Technology in the Courtroom (AAJ Winter Convention, 2/11/20)*
81. *Deposing the Truck Driver: Another Approach That is Worth Repeating (ATAA Webinar, 3/4/20)*
82. *Using Zoom for Depositions (KJA Webinar, 3/24/20)*
83. *Practicing Remotely During COVID-19: Client Communication, Case Management and More (SeminarWeb, 3/30/20)*
84. *Taking the 30(b)(6) Deposition of a Trucking Company (SeminarWeb, 4/9/20)*
85. *Town Hall Meeting between KJA & KDC – Cooperation During Crisis (KJA Webinar, 4/14/20)*
86. *Crash & Burn: Takeaways from a Car Wreck Defeat (KJA Learning from Losses, 4/24/20)*
87. *Zoom Deposition Tutorial (NKBA Webinar, 4/27/20)*
88. *Joint Summit Between OACTA and OAJ (OAJ Webinar, 5/21/20)*
89. *Voir Dire in Car Wreck Cases (KJA The Auto Practitioner's Toolbox, 6/5/20)*
90. *Using an iPad at Trial (WVAJ Annual Convention, 6/5/20)*
91. *Litigating Complex Trucking Cases Without Actually Litigating: How To Resolve Trucking Cases Without The Gloves Coming Off (KJA Expanding Your Field of Vision in Trucking Cases, 6/12/20)*

92. *Trucking School – Part 1 – Trucking Cases are Different* (Case Analysis, Trucking School with Joe Fried & Jay Vaughn, 6/8/20)
93. *Trucking School – Part 2 – Trucking Sources for Rules & Standards* (Case Analysis, Trucking School with Joe Fried & Jay Vaughn, 6/15/20)
94. *Taking on the Defense Medical Examiner* (Case Analysis, Spine School, 6/25/20)
95. *Taking on the Defense Medical Examiner* (OAJ Annual Convention, 8/13/20)
96. *TBI & PTSD Overview* (ATAA Annual Symposium, 9/22/20)
97. *NBTA Truck Accident Law Board Certification Specifications* (ATAA Annual Symposium, 9/23/20)
98. *Zoom Deposition Tutorial* (Chase Inns of Court, 10/22/20)
99. *The Latest Decisions, Materials & Developments in Broker/Shipper Cases: Holding Brokers & Shippers Accountable* (AAJ Trucking Litigation Group, 10/30/20)
100. *Preparing Your TBI Client for Litigation* (SeminarWeb, 11/17/20)
101. *Update on Zoom Depositions* (KJA, 11/19/20)
102. *Litigating Broker Liability for Trucking Accident Injury Claims* (Strafford Webinar, 12/1/20)
103. *TrialPad 101* (Case Analysis, 12/8/20)
104. *Taking on the Defense Medical Examiner* (LAJ 2020 Last Chance CLE: Winning with the Masters, 12/10/20)
105. *Confidential Business Documents & Protective Orders - Stand Your Ground* (ATAA Special Webinar, 12/15/20)
106. *Elder Abuse Trial* (Case Analysis, Steve Levin, Michael Bonamarte and Jay Vaughn, 1/12/21)
107. *Nursing Home Trials: How One Case Changed the Legal Landscape* (Case Analysis, Margaret Battersby Black, Michael Bonamarte and Jay Vaughn, 1/26/21)
108. *30(b)(6) Depositions – Part 1* (Case Analysis, Mark Kosieradzki and Jay Vaughn, 2/3/21)

**109. 30(b)(6) Depositions – Part 2 (Case Analysis, Mark Kosieradzki and Jay Vaughn, 2/17/21)**

**110. Deposition Objections (Case Analysis, Mark Kosieradzki and Jay Vaughn, 3/25/21)**

**END DISTRACTED DRIVING PRESENTATIONS (ENDDD.ORG)**

**NSU University High School, Ft. Lauderdale, FL 2/29/16**

***Distracted Driving: Litigation, Professional and Personal Considerations* (KJA Auto Seminar, 6/16/17)**

***Distracted Driving: Defining the Problem and Expanding Liability* (AAJ Annual Convention, 7/24/17, Co-Presentation with Joel Feldman)**

**iPrep Academy, Miami, FL 2/4/19**

**Conner High School, Hebron, KY 4/16/19**

**St. Francis High School, Louisville, KY 4/23/19**

**Pennridge High School, Perkasie, PA 12/9/20**