

# FULTON, DEVLIN & POWERS, LLC

ATTORNEYS AT LAW

Judson F. Devlin  
C. Patrick Fulton  
Lyn Douglas Powers\*  
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## **FIRM RESUME**

The law office of Fulton, Devlin & Powers, LLC was founded in October 1997 by C. Patrick Fulton and Judson F. Devlin. We concentrate our practice in the areas of workers' compensation defense, insurance defense, and subrogation, representing the interests of insurance carriers, employers, and third party administrators throughout Kentucky.

Our experience in these matters ranges from handling pre-litigation matters and defending workers' compensation claims in litigation to successfully arguing cases before the Kentucky Supreme Court. We handle all types of workers' compensation matters, including defense of injury and occupational disease claims, prosecution of medical benefits disputes, appellate work before the Workers' Compensation Board, Kentucky Court of Appeals, and Kentucky Supreme Court, and representation of clients before the Office of Workers' Claims in non-litigation matters. In addition, we provide educational and consulting services to our clients, including presentations on such topics as loss prevention, claims handling and defense, and updates on the law. Fulton, Devlin & Powers, LLC also defends Indiana workers' compensation claims.

Fulton, Devlin & Powers, LLC is proud to provide the highest level of legal quality in our concentrated areas of practice. We strive every day to be a leading authority and practitioner in the area of Kentucky workers' compensation defense practice. Our office is based in Louisville but our attorneys practice throughout Kentucky and Southern Indiana. Our computer and support systems allow us to provide our clients with the most advanced and efficient claims handling and representation.

We are available to discuss the particular needs of prospective clients, and welcome the opportunity to provide any assistance necessary for the successful handling of workers' compensation and other insurance defense matters.

# JUDSON F. DEVLIN

**Biographical Information:** Born and resides in Louisville, Kentucky.

## **Education:**

University of Kentucky College of Law  
Lexington, Kentucky  
Juris Doctor  
1985 - 1988

Eastern Kentucky University  
Richmond, Kentucky  
Bachelor of Arts, Cum Laude  
1981 - 1985

## **Professional Experience:**

Fulton & Devlin LLC  
Louisville, Kentucky  
1997 – present

Ferreri & Fogle  
Louisville, Kentucky  
Partner 1994 - 1997  
Associate 1989 - 1993  
1989 - 1997

Mills, Mitchell & Turner  
Louisville, Kentucky  
Associate 1988 - 1989  
1988 - 1989

## **Professional Memberships:**

Kentucky Bar Association  
Life Fellow  
Member - Workers' Compensation Section  
1988 - present

Louisville Bar Association  
1997 – present

United States District Court - Western District of Kentucky  
1992 – present

United States Court of Appeals - Sixth Circuit  
1995 – present

## **Professional Activities and Accomplishments:**

Kentucky Crushed Stone Association Annual Meeting  
Elizabethtown, Kentucky  
-Guest Speaker  
1993

KBA Workers' Compensation Section  
1994 Annual Mid-Year Convention  
Freeport, Bahamas  
-Guest Speaker  
1994

Comp Ed, Inc. Workers' Compensation Seminar  
Louisville, Kentucky  
- Guest Speaker  
2001

KBA Workers' Compensation Section  
2002 Annual Mid-Year Convention  
Punta Cana, Dominican Republic  
-Guest Speaker  
2002

Kentucky Employers Safety Association Annual Membership Meeting and Seminar Louisville, Kentucky - Guest Speaker	2002
Workers' Compensation Seminar Comp Ed, Inc. Louisville, Kentucky - Guest Speaker	2003
Workers' Compensation Seminar Comp Ed, Inc. Louisville, Kentucky - Guest Speaker	2005
Workers' Compensation School for Kentucky Employers Travelers Insurance Company Louisville, Kentucky - Guest Speaker	2008
KESA Annual Membership Meeting and Seminar Louisville, Kentucky - Guest Speaker	2013
Kentucky Workers' Compensation Education Association Annual Conference & Seminar Louisville, Kentucky - Guest Speaker	2013
University of Kentucky 20 <sup>th</sup> Biennial Workers' Compensation Institute - Guest Speaker	2014
Travelers Kentucky Claim Academy & Seminar Louisville, Kentucky - Guest Speaker	2014
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Beta of Richmond, Inc. -Board of Directors; Member of Executive Committee	2005 - 2008
Trinity High School, Inc. -Board of Directors	2008 - 2010
Rated "AV" for Very High to Preeminent Legal Ability by Martindale-Hubbell®	2007-present
Selected for Inclusion in <i>The Best Lawyers in America</i> ® under Specialty of Workers' Compensation	2006-present
Selected for Inclusion in <i>Kentucky Super Lawyers</i> ® under Specialty of Workers' Compensation	2008-present
Selected by <i>The Best Lawyers in America</i> ® as Lawyer of the Year – Workers' Compensation Law – Employers (Louisville – 2014)	2013

**Published Decisions:**

**Hutchins v. General Electric Co., 190 S.W.3d 333 (Ky. 2006)**

**Cepero v. Fabricated Metals Corp., 132 S.W. 3d 839 (Ky. 2004)**

**Wright v. Oberle-Jorde Co., Inc., 910 S.W. 2d 241 (Ky. 1995)**

**Brockway v. Rockwell International, 907 S.W.2d 166 (Ky. App. 1995)**

**Coslow v. General Electric Co., 877 S.W.2d 611 (Ky. 1994)**

# C. PATRICK FULTON

**Biographical Information:** Born and resides in Louisville, Kentucky.

## **Education:**

University of Kentucky College of Law 1983 - 1985  
Lexington, Kentucky  
Juris Doctor

Chase College of Law 1982 - 1983  
Highland Heights, Kentucky  
(transferred to U of K)

University of North Carolina 1978 - 1982  
Chapel Hill, North Carolina  
Bachelor of Arts

## **Professional Experience:**

Fulton & Devlin LLC 1997 - present  
Louisville, Kentucky

Ferreri & Fogle 1990 - 1997  
Louisville, Kentucky  
Partner 1994 - 1997  
Associate 1990 - 1993

Woodward, Hobson & Fulton 1985 - 1990  
Louisville, Kentucky  
Associate 1985 - 1990

## **Professional Memberships:**

Kentucky Bar Association 1985 - present  
Workers' Compensation Section  
Labor Law Section

Louisville Bar Association 1985 - 1990, 1997 - present

United States District Court -  
Western District of Kentucky 1985 - present

United States District Court -  
Eastern District of Kentucky 1986 - present

United States Court of Appeals -  
Sixth Circuit 1985 - present

Nelson County Bar Association 1985 - present

## **Professional Activities and Accomplishments:**

Brown-Forman Workers' Compensation Update Seminar 1997  
-Guest Speaker

University of Louisville Carl A. Warns Labor Law Symposium 1996  
-Guest Speaker

Pike County Bar Association Seminar 1994, 1995  
-Guest Speaker

KBA Workers' Compensation Section Seminars -Guest Speaker	1993, 1994, 2004, 2005, 2007, 2012, 2014, 2015
University of Kentucky College of Law -Guest Speaker, 16 <sup>th</sup> Biennial Workers' Compensation Institute	2006
Comp Ed, Inc. -Board of Directors	1997-present
Rated "AV" for Very High to Preeminent Legal Ability by Martindale-Hubbell®	2014
Selected for Inclusion in <i>The Best Lawyers in America</i> ® under Specialty of Workers' Compensation	2013-present

**Published Decisions:**

American Bakeries Co. v. Hatzell, Ky., 771 S.W.2d 478 (1989)  
Kentucky Harlan Coal Co. v. Holmes, 872 S.W.2d 446 (Ky. 1994)  
Derr Const. Co. V. Bennett, 873 S.W.2d 824 (Ky. 1994)  
American Standard v. Boyd, 873 S.W.2d 822 (Ky. 1994)  
Heartland Health Care Center v. Maupin, 887 S.W.2d 553 (Ky. 1994)  
American Standard v. Stinson, 888 S.W.2d 330 (Ky. 1994)  
Staples, Inc. v. Konvelski, 56 S.W.3d 412 (Ky. 2001)  
Burton v. Foster Wheeler Corp., 72 S.W.3d 925 (Ky. 2002)  
Brown-Forman Corp. v. Upchurch, 127 S.W.3d 615 (Ky. 2004)

**Community Activities:**

YMCA Center for Youth Alternatives Board of Directors	1990 - 1997
Internal Finance Chair	1990 - 1993
Board Chair	1993 - 1995
Endowment Committee Chair	1997 – present
Kentucky Squash Racquets Assoc. Board of Directors	2001 – present
President	2003 - 2005

# LYN D. POWERS

**Biographical Information:** Born in Huntington, West Virginia, and resides in Louisville, Kentucky.

## **Education:**

University of Kentucky College of Law 1995-1998  
Lexington, Kentucky  
Juris Doctor

Bellarmino College 1991-1995  
Louisville, Kentucky  
Bachelor of Arts, Cum Laude

## **Professional Experience:**

Fulton & Devlin LLC 2004 - present  
Louisville, Kentucky

Clark & Ward 1999-2004  
Louisville, Kentucky  
Associate

Wilson & Pruit 1998 - 1999  
Russell, Kentucky  
Associate

## **Professional Memberships:**

Kentucky Bar Association 1998 – present

Indiana Bar Association 2002 – present

United States District Court -  
Western District of Kentucky 1999 – present  
Southern District of Indiana 2002 – present  
Northern District of Indiana 2002 – present

## **Professional Activities and Accomplishments:**

Selected for Inclusion in *The Best Lawyers in America*®  
under Specialty of Workers' Compensation 2013-present

Travelers Kentucky Claim Academy & Seminar  
Louisville, Kentucky  
-Guest Speaker 2014

## **Published Decisions:**

Ridge v. VMV Enterprises, Inc., 114 S.W.3d 845 (Ky. 2003)  
Bartee v. University Medical Center, 244 S.W. 3d 91 (Ky. 2008)  
T.J. Maxx v. Blagg, 274 S.W.3d 436 (Ky. 2008)  
Garno v. Solectron USA, 329 S.W.3d 301 (Ky. 2010)

# **BRIAN T. GANNON**

**Biographical Information:** Born in Colorado Springs, Colorado. Resides in Louisville, Kentucky.

## **Education:**

University of Kentucky College of Law  
Lexington, Kentucky  
Juris Doctor  
1986-1989

Centre College  
Danville, Kentucky  
Bachelor of Arts  
1981-1985

## **Professional Experience:**

Fulton & Devlin LLC  
Louisville, Kentucky  
2001 - present

Ferreri & Fogle  
Louisville, Kentucky  
1990 - 2001  
Partner 1995 - 2001  
Associate 1990 - 1995

Haydon & Taylor  
Owensboro, Kentucky  
Associate  
1989-1990

## **Professional Memberships:**

Kentucky Bar Association  
Workers' Compensation Section  
1989 - present

United States District Court  
Western District of Kentucky  
1989 - present

United States District Court  
Eastern Kentucky District  
1990 - present

## **Published Decisions:**

**Carte v. Loretto Motherhouse, 19 S.W.3d 122 (Ky. App. 2000)**

**Gibbs v. Premier Scale Co., 50 S.W. 3d 754 (Ky. 2001)**

**Khani v. Alliance Chiropractic, 456 S.W. 3d 802 (Ky. 2015)**



# STANLEY S. DAWSON

**Biographical Information:** Born in Versailles, Kentucky, and resides in Louisville, Kentucky.

## **Education:**

University of Kentucky College of Law 1987-1990  
Lexington, Kentucky  
Juris Doctor

Western Kentucky University 1983-1987  
Bowling Green, Kentucky  
Bachelor of Arts

## **Professional Experience:**

Fulton & Devlin LLC 2002-present  
Louisville, Kentucky

Lodestar Energy, Inc. 1998-2002  
Lexington, Kentucky  
Corporate Counsel

Ferreri & Fogle 1991-1998  
Lexington and Louisville, Kentucky  
Partner 1997-1998  
Associate 1991-1996

Commonwealth of Kentucky, 28<sup>th</sup> Judicial Circuit 1990-1991  
Somerset, Kentucky  
Staff Attorney 1990-1991  
Law Clerk 1990

## **Professional Memberships:**

Kentucky Bar Association 1990-present  
Workers' Compensation Section

United States District Court - 1995-present  
Eastern District of Kentucky  
Western District of Kentucky 1998-present

United States Court of Appeals 1996-present  
Sixth Circuit  
Tenth Circuit 1997-present

## **Professional Activities and Accomplishments:**

Kentucky Coal Association  
Workers Compensation Task Force 1998-2002  
-Member

Kentucky Bar Association Workers' Compensation Section  
1998 Annual Mid-Year Convention  
New Orleans, Louisiana  
-Guest Speaker 1998

<b>Kentucky Bar Association Workers' Compensation Section 2001 Annual Mid-Year Convention Las Vegas, Nevada -Guest Speaker</b>	<b>2001</b>
<b>National Business Institute's Seminar on Complex Workers' Compensation Issues -Guest Speaker on Legal Ethics</b>	<b>2014</b>
<b>National Business Institute's Seminar on Advanced Workers' Compensation -Guest Speaker on Kentucky Case Law Update -Guest Speaker on and Ethical Obligations in Workers' Compensation</b>	<b>2015</b>

# **THOMAS M. EDELEN**

**Biographical Information:** Born and resides in Louisville, Kentucky.

**Education:**

Southern Illinois University College of Law Carbondale, Illinois Juris Doctor, Cum Laude	1992 – 1995
University of Louisville Louisville, Kentucky Bachelor of Arts, Magna Cum Laude	1988 – 1992

**Professional Experience:**

Fulton & Devlin LLC Louisville, Kentucky	2009 – present
Clark & Ward Louisville, Kentucky	2002 – 2009
Karl Truman Law Office Jeffersonville, Indiana Partner – 2001 - 2002 Associate – 2000 – 2001	2000 – 2002
Hughes & Coleman Louisville, Kentucky	1997 – 2000
Boehl, Stopher & Graves Louisville, Kentucky	1995 – 1997

**Professional Memberships:**

Kentucky Bar Association	1995 – present
Louisville Bar Association	1995 – present
United States District Court- Western District of Kentucky Eastern District of Kentucky	1992 – present

**Published Decisions:**

Sims v. Brunswick Bowling League, 209-KY-040.132  
Helms v. Magellan Behavioral Health, 140 S.W. 3<sup>rd</sup> 579 (2004)

# WARD BALLERSTEDT

**Biographical Information:** Born and resides in Louisville, Kentucky.

**Education:**

University of Louisville Brandeis School of Law 2003-2006  
Louisville, Kentucky  
Juris Doctor

University of Kentucky 1999-2002  
Lexington, Kentucky  
Bachelor of Business Administration

**Professional Experience:**

Fulton & Devlin, LLC 2014 – present  
Louisville, Kentucky

The Rawlings Group 2013-2014  
LaGrange, Kentucky  
Associate General Counsel

Fogle Keller Purdy, PLLC /Ferrier & Fogle, PLLC  
2006-2013  
Louisville, Kentucky  
Associate 2006-2011  
Partner 2012-2013

**Professional Memberships:**

Kentucky Bar Association 2006 - present  
Member – Workers' Compensation Section

**Professional Activities and Accomplishments:**

Westfield Insurance Company 2010  
Golden Gavel Recipient

Kentucky Bar Association Workers' Compensation Section  
2012  
2012 Mid-Winter Meeting  
Punta Cana, Dominican Republic  
Guest Speaker

**Published Decisions:**

Vision Mining, Inc. v. Gardner, 364 S.W. 3d 455 (Ky. 2011)  
Jones v. Aerotek Staffing, 303 S.W. 3d 488 (Ky. App. 2010)  
Lutz v. Energy Conversion Corp., 272 S.W. 3d 192 (Ky. 2008)

# **KATE M. CARPENTER**

**Biographical Information:** Born in Columbus, Ohio, and resides in Louisville, Kentucky.

## **Education:**

University of Louisville Brandeis School of Law 2012-2015  
Louisville, Kentucky  
Juris Doctor

University of Kentucky 2008-2012  
Lexington, Kentucky  
Bachelor of Science, Magna Cum Laude

## **Professional Experience:**

Fulton & Devlin LLC 2015-present  
Louisville, Kentucky

## **Professional Memberships:**

Kentucky Bar Association 2015- present  
Member- Workers' Compensation Section

United States District Court- Western District of Kentucky 2015- present

# **ROBERT J. NEMES**

**Biographical Information:** Born and raised in Louisville, Kentucky.

**Education:**

University of Louisville Brandeis School of Law 2011-2014  
Louisville, Kentucky  
Juris Doctor

University of Louisville 2008-2011  
Louisville, Kentucky

**Professional Experience:**

Fulton, Devlin & Powers LLC 2017-present  
Louisville, Kentucky

**Professional Memberships:**

Kentucky Bar Association 2017- present  
Member- Workers' Compensation Section