Kenneth J. Schwalbert, Jr.

Associate

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325 West Main Street
Suite 301
Lexington, KY 40507

Industries

Manufacturing

Consumable Goods

Practice Areas

Tax

Corporate Law

QSBS & Tax Planning Services

Bar Memberships

Kentucky

Tennessee

Kenny is an Associate in FBT Gibbons Tax, Benefits, & Estates practice group. His practice consists of federal tax planning, including section 1202 qualified small business stock ("QSBS") matters, federal tax controversy and criminal tax matters, and state and local tax issues.

In the federal tax planning space, Kenny has experience assisting clients with tax considerations for business formations. This includes entity selection and structuring for corporations and partnerships. In addition, he has assisted many clients with QSBS matters to maximize potential gains, which includes rollover matters under section 1045.

In matters concerning federal tax controversy, Kenny has experience assisting clients who are being audited and investigated by both the criminal and civil side of the IRS. These matters range from intricate issues alleging tax evasion charges to section 165 theft loss deductions in preparation of IRS audits.

On the state and local side, Kenny supports clients in state and local tax planning, controversy, and incentives matters. These matters include unique tax planning guidance to administrative and judicial tax disputes.

In addition to his tax practice, Kenny has leveraged his former career as a funeral director to advise funeral home owners. With a deep knowledge of the deathcare industry, Kenny is able to understand the nuance issues that funeral homes experience from general business matters to business disputes.

Kenny earned his law degree, magna cum laude, from the University of Louisville Brandeis School of Law, where he engaged in numerous student organizations and activities. While in law school, Kenny served as the editor in chief of the *University of Louisville Law Review*.

In addition to being a licensed attorney, Kenny is a licensed funeral director and embalmer in Indiana and Kentucky and a Certified Funeral Service Practitioner (CFSP).

Other Info About Kenny

Education

University of Louisville Louis D. Brandeis School of Law, J.D., 2024, *magna cum laude*
Editor in Chief, Vol. 62, *University of Louisville Law Review*
Robert C. Jayes Memorial Award for Outstanding Scholarship, Leadership, and Service

Southern Illinois University Carbondale, B.S., Mortuary Science & Funeral Service, *cum laude*

Mid-America College of Funeral Service, A.A.S., Funeral Service, *with honors*

Recognition

Recognized by *Best Lawyers: Ones to Watch® in America* – Tax Law, 2027

Brandies Inn of Court, Pupil

Robert C. Jayes Award for Memorial Award for Outstanding Scholarship, Leadership, and Service

Marshall-Brennan Award for Excellence in Teaching

CALI Excellence for the Future Award Lawyering Skills II (Spring 2022)

Professional Affiliations

Kentucky Bar Association

Louisville Bar Association

Academy of Professional Funeral Service Practice, Member

University of Louisville Law Alumni Council, Treasurer (2025); Secretary (2024-2025)

Civic Activities

Cathedral of the Assumption

Pythagoras Lodge #355, F&A Masons, Past Senior Warden

Kosair Shrine Temple

Louisville Consistory – Scottish Rite

Presentations

"Entity Selection & Tax Implications: A Deep Dive for Tax Professionals," Southwestern Ohio Tax Institute, Cincinnati Bar Association, October 30, 2025

Major Publications

"Hey, What About the Free Rivers Doctrine," *Journal of State Taxation*, CCH Incorporated, Summer 2025

Note, *To Bury or to Cremate? Forced Fetal Disposition in a Mother's World*, 62 U. Louisville L. Rev. 203 (2023)

Featured Articles

Vermont Decouples from Section 1202: What QSBS Investors Need to Know

Indiana Tax Amnesty Is a Go: What Taxpayers Need to Know About Indiana's 2026 Amnesty Program

"Pig Butchering" Scams and How Victims May Be Able to Deduct Their Losses Under IRC §165

Hey, What About the Free Rivers Doctrine?

Businesses Using Passthrough Entities Win Big in Trump Tax Bill

[Section 1202 and QSBS: A Survey of States That Don't Conform to the Federal Treatment]

[PTET Already Making Waves? Indiana Releases Updated Guidance in Wake of One Big Beautiful Bill Act]

[One Big Beautiful Bill: Sports Betters and Gamblers Might Disagree]

[The One Big Beautiful Bill: Is PTET Alive? Congress' Struggle with the Pass-Through Entity Tax: Final Edition]

[New Local Taxes on the Menu in Kentucky? Kentucky Court Considers Constitutionality of Local Restaurant Tax]