



R. Kent Westberry

Counsel

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Practice Areas

Tax

Bar Memberships

Kentucky

Kent Westberry has over 40 years of criminal and civil litigation experience in federal and state courts. Through the years, Kent has defended some of the most highly publicized criminal prosecutions in Kentucky. Kent also practices extensively in the area business litigation and represents attorneys in Bar discipline proceedings.

From 2004 to 2005, Kent served as President of the Kentucky Bar Association. Kent also served as an Assistant United States Attorney for the Western District of Kentucky. Kent is a Fellow in the American Board of Criminal Lawyers, the country's most elite organization for criminal defense attorneys. Membership is by invitation only to those attorneys who possess the highest standards of ethics and professionalism.

Kent is listed in *The Best Lawyers in America*® under White Collar Criminal Defense, Commercial Litigation, Personal Injury Defense, Municipal Litigation and Regulatory Enforcement Litigation (SEC, Energy) sections. Kent was Lawyer of the Year for "white collar criminal defense" in Louisville, 2021. He is also listed in Kentucky Super Lawyers Business Edition for White Collar Criminal Defense.

Other Info About Kent

Experience

Kent served as lead counsel for the former Clay County Superintendent of Schools against allegations of Racketeer Influenced and Corrupt Organizations Act ("RICO") 18 U.S.C. § 1962(d). Those charges stemmed from an alleged participation in a vote buying scheme that encompassed three election cycles. The

trial lasted in excess of seven weeks and resulted in convictions. A unanimous panel of United States Court of Appeals for the Sixth Circuit subsequently vacated all defendant's convictions on all counts and remanded for a new trial (United States of America v. Douglas C. Adams, et al., File No. 13a-0179 p.06, Sixth Circuit Court of Appeals). This successful appeal was handled by Kent and John D. Cline of San Francisco.

Kent served as lead counsel for a former Kentucky Governor in the Merit System investigation which resulted in a dismissal of all charges brought against that former Governor. Kent also served as counsel to a former Governor from the Northeast with regard to a Federal Grand Jury Investigation involving a now defunct business college in Kentucky. This investigation was closed without criminal charges being brought. Kent has represented clients in criminal investigations and trials on behalf of the coal industry. In particular, Kent has been involved in the Crandall Canyon Mine disaster where an investigation was conducted by the Mining Safety and Health Administration ("MSHA") and the United States Attorney's Office in Utah. In the past, Kent was involved in representing an executive in the Pyro Mine disaster where no charges were brought against his client. More recently, Kent obtained an acquittal for a coal mining executive in United States v. B&D Mining in federal court in Abington, Virginia. Kent has also obtained a significant judgment of acquittal for felony counts, post-verdict, in United States v. KenAmerican Resources, et al. for his client who was a mine superintendent. The court ultimately sentenced this client as well as others to probation after a month long jury trial.

Education

Northern Kentucky University, Salmon P. Chase College of Law, J.D., 1980

Centre College, B.A., 1977, Government

Courts

U.S. District Court Western District of Kentucky, 1982

U.S. District Court Eastern District of Kentucky, 1992

U.S. District Court Southern District of Indiana, 1995

U.S. Court of Appeals 7th Circuit, 1995

U.S. Court of Appeals 6th Circuit, 1983

U.S. Supreme Court, 1984

Recognition

Kentucky Super Lawyers, White Collar Criminal Defense, 2005–present

The Best Lawyers in America®, 2006–present, Commercial Litigation, Criminal Defense: White–Collar, Litigation – Municipal, Litigation – Regulatory Enforcement (SEC, Telecom, Energy), and Personal Injury Litigation – Defendants

Kentucky Super Lawyers 2022

Lawyer of the Year, Louisville, 2021, White Collar Criminal Defense, Best Lawyers in America

Martindale–Hubbell AV Peer Review Rated

Recognized in Top Lawyers in Louisville Magazine, White Collar Criminal Defense and Personal Injury Litigation

Special Justice, Supreme Court of Kentucky, 1994

Law Club of Louisville (Past President)

AVVO 10.0 Rating (Superb)

Professional Affiliations

Assistant United States Attorney, Western District of Kentucky, 1981–1987

American Board of Criminal Lawyers, Fellow

U.S. Sixth Circuit Judicial Conference, Life Member

National Association of Criminal Defense Attorneys, Member

Uniform Law Commission, Commissioner, 2017 to Present

Kentucky Bar Association Rules Committee, Member, 2015 to Present

Federal Defenders Corporation, Western District of Kentucky, Member, Board of Directors, 2001 to Present

Kentucky Judicial Conduct Commission, Alternate Chair, 2015 to 2018

U.S. District Court Magistrate Judge Merit Selection Committee, 2018

U.S. District Court Magistrate Judge Merit Selection Panel, WDKY, Chairman, 2011

Kentucky Bar Association, President, (2004–2005)

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