



# Deborah H. Patterson

## Counsel

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### Location

400 West Market Street  
Suite 2000  
Louisville, KY 40202

### Education

1992 - J.D., with honors,  
University of Louisville School of  
Law; President, Brandeis Honor  
Society and Senior Editor for  
*Journal of Family Law*

1982 - Auburn University; Political  
Science Graduate Program

1978 - B.A. (Communications),  
University of Kentucky

### Honors

Recognized as one of the "Top  
Lawyers" in the areas of  
Appellate Law and Media Law by  
*Louisville Magazine*, March, 2014

*Woodward/White's The Best  
Lawyers in America®* in the area  
of Media Law 2020-2021

### Admissions

Kentucky

Deborah Patterson chairs the Firm's Communications Practice area and is a member of the Litigation & Dispute Resolution Service Team. She concentrates her Communications practice on such First Amendment issues as defamation and privacy, as well as open meetings and open records. Ms. Patterson's Appellate practice spans subject matter, including employment discrimination, constitutional law, contracts, negligence, defamation and open records.

Ms. Patterson chaired the Professional Personnel Recruiting Committee until 2012 and oversaw the Firm's summer associate program and entry level hiring. She is currently a member of the Firm's Diversity Committee.

### Representative Matters

- *Department of Revenue v. Wyrick*, 323 S.W.3d 710 (Ky. 2010) (clarifying and limiting the "litigation exception" to open records).
- *Beckham v. Board of Education*, 873 S.W.2d 575 (Ky. 1993) (Open Records action establishing standing of third parties in open records disputes).
- *Larry Birkhead v. Ashley Judd and Entertainment Tonight*, U.S.D.C., W.D. Ky. (2001) (defending allegations of defamation).
- *Board of Education of Bullitt v. Courier-Journal*, 22 Media L. Rep. 1661 (Ky. Ct. App. 1994) (upholding newspaper's right of access to superintendent's performance evaluations under Open Records Act).
- *Courier-Journal v. Brereton Jones, Kentucky Court of Appeals (1995) (access to Governor's appointment schedule under Open Records Act).*
- *Deasy v. Cosmos Broadcasting*, Kentucky Court of Appeals (2000) (affirming summary judgment in favor of WAVE-TV and Nel Taylor on defamation claims).
- *Department of Corrections v. Courier-Journal*, 914 S.W.2d 349 (Ky. App. 1996) (upholding judgment granting public access to inmate files under Open Records Act).
- *Explore Information Services v. Transportation Cabinet*, Kentucky Court of Appeals (2003) (application of Open Records Act to DVR information in Cabinet's computer files).
- *Flanagan v. Russell County Newspapers et al.*, 24 Media L. Rep. 1501 (Ky. App. 1995); *cert. denied* 519 U.S. 992 (1996) (reversal of \$1 million defamation verdict).
- *Isgrigg v. Cosmos Broadcasting*, 2002 WL 215995, 30 Media L. Rep. 1331 (S.D. Ind. 2002) (summary judgment in favor of WAVE-TV on defamation claims by Indiana County Surveyor).
- *Jefferson County Police Merit Board v. Timmerman*, Kentucky Court of Appeals (1996) (upholding unsuccessful state police applicant's right of access to investigation records regarding him under Open Records Act).
- *Mineer v. Williams*, 82 F. Supp.2d 702 (E.D. Ky. 2000) (judgment for talk show host Montel Williams in false light action).
- *Pippin v. Cosmos Broadcasting*, Jefferson Circuit Court (2006) (dismissing claims of defamation against WAVE-TV).
- *Schroering v. Courier-Journal*, Kentucky Court of Appeals (1996) *cert. denied* 520 U.S. 1118 (1997) (upholding summary judgment for newspaper on defamation claims arising out of endorsement editorials and cartoons in judicial election).
- *Stewart v. University of Louisville*, Kentucky Court of Appeals (2001) (upholding University's denial of access to employee's personal computer e-mail to ex-husband under Kentucky Open Records Act).
- *Ram Engineering v. University of Louisville*, 127 S.W.3d 579 (Ky. 2003) (reversing trial court dismissal and awarding contractor \$599,425 in breach of contract action against University); 199 S.W.3d 746 (Ky. App. 2005) (affirming trial court award of pre-judgment interest to contractor as element of breach of contract damages)

under Model Procurement Code).

### **Representative Clients**

- Raycom Media, Inc. and WAVE-TV
- Gilmore Broadcasting Corporation
- Media/Professionals Insurance
- Ram Engineering and Construction, Inc.
- University of Louisville
- Jefferson County Board of Education

### **Presentations**

Ms. Patterson has conducted numerous seminars on Kentucky's Open Meetings/Open Records laws and training sessions on First Amendment issues in newsgathering.

### **Professional Activities and Memberships**

- Kentucky Bar Association, Litigation Section and Chair of Appellate Advocacy Section
- American Bar Association, Communications and Litigation Sections
- Louisville Bar Association
- Media Law Resource Center: Defense Counsel Member, Employment Law Committee