



## Chad J. Sullivan

Member

### Evansville Office

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**Chad J. Sullivan is a Member in the Coal, Construction, Energy, and Oil & Gas industry groups, focusing primarily on labor & employment and litigation. He practices out of the Firm's office in Evansville, Indiana.**

Chad frequently represents and counsels clients on a variety of matters across a number of industries. He advises employers on a variety of labor and employment issues, including covenants not to compete, wage and hour, civil rights discrimination, unfair labor practices, Family and Medical Leave Act (FMLA), sexual harassment, union avoidance, union elections, and wrongful discharge. He also drafts companies' employee policies and procedures and reviews those already in place for compliance. As part of his practice, he has defended clients before the National Labor Relations Board (NLRB), Equal Employment Opportunity Commission, numerous state and federal courts and state and local Human Rights commissions.

Chad also represents businesses and trustees in complex litigation, involving such issues as trade secrets, breach of contract, fiduciary duties, securities, and business torts. Additionally, Chad represents the coal and oil and gas industries in litigation issues, ranging from royalty disputes, lease interpretation, slurry injection rights, coalbed methane and other mineral ownership issues, objections to longwall mining, and determination of working interest ownership.

Chad is also involved in the legal community and the community at large – he is a frequent speaker on labor and employment law topics, knowing that it's important to ensure his clients are up-to-date on the latest changes to the law. He also supports the local and national election process through his roles as a precinct committeeman and as an Indiana Republican Delegate.

## Awards

- Indiana Leadership Forum Class of 2020
- Scholar in the Law
- Washington University Law Quarterly, associate editor

## Notable Legal Experience

- Lead counsel in successful jury trials in Kentucky, Illinois, Indiana, Missouri, and Texas
- Won defense verdict in jury trial in St. Clair County, Illinois on behalf of oil and gas operator [jacksonkelly.com](http://jacksonkelly.com) brought by investors (2017)
- Won award in jury trial for seller of business for breach of purchase agreement and promissory estoppel in St. Charles County, Missouri (2017)
- Won jury trial for Plaintiff in fraud claim in Spencer County, Indiana including award of attorney's fees (2017)

- Obtained summary judgment on behalf of oil and gas investor on securities fraud claims and award of damages and removal of operator in Hamilton County, Illinois
- Successfully litigated non-compete and trade secret claims in Indiana, Illinois, Missouri, Wisconsin, Kentucky, Texas, and North Carolina
- Obtained full dismissal for a major Indiana university on claims brought by applicant denied admission into medical school
- Lead counsel in matters before the Illinois, Indiana and Ohio Civil Rights Commissions
- Successfully resolved multiple matters in Illinois, Indiana and Kentucky for trustees defending against breach of fiduciary duty claims
- Obtained summary judgment for coal operator dismissing plaintiff's claims and affirming operator's right to inject slurry into mine voids
- Obtained summary judgment for coal operator against environmental advocacy group protecting right to long wall mine in Illinois

## Work History

- Jackson Kelly PLLC (2011-Present)

## Practices

- Commercial Litigation
- Construction Law
- Labor & Employment
- Litigation

## Industries

- Coal
- Construction
- Energy
- Oil & Gas

## Education

- Washington University School of Law - St. Louis (J.D., 1997)
- University of Missouri (B.S., B.A. in Human Resource Management , 1994)

## Admissions

- Indiana (2000)
- Illinois (1998)
- Missouri (1997)
- U.S. Court of Appeals, Seventh Circuit
- U.S. District Court, Southern District of Indiana
- U.S. District Court, Central District of Illinois
- U.S. District Court, Southern District of Illinois
- U.S. District Court, Eastern District of Illinois
- U.S. District Court, Northern District of Illinois
- U.S. District Court, Eastern District of Missouri

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## Professional Organizations

- Evansville-Area Human Resource Association
- Evansville Bar Association
- Energy & Mineral Law Foundation
- Illinois Oil and Gas Association
- Illinois Coal Association
- Indiana Coal Council

## Speaking Engagements & Publications

### Speaking Engagements

- Presenter, "Changing Employment Regulations Under the COVID-19 Era," The American Board of Interventional Pain Physicians (ASIPP) Virtual Practice Management Course, Feb. 27, 2022
- Co-presenter with **Lucero Tennis Kieffer**, "New Laws and Issues Employers Face With Medical/Recreational Marijuana Use," Evansville-Area Human Resource Association 2021 Fall Conference, Oct. 15, 2021
- Co-presenter, "Returning to Operations in a Post-COVID Climate," Energy & Mineral Law Foundation (EMLF) 42nd Annual Institute, Memphis, Tennessee, June 20-22, 2021
- Panelist, "COVID-19 and Returning to Work," Bluegrass Society for Human Resource Management (SHRM) Virtual Chapter Meeting, May 12, 2020
- "FMLA Master Class: Managing FMLA and avoiding RISK!," Evansville-Area Human Resource Association (EHRA) 2019 Spring Conference, Evansville, Indiana, April 24, 2019
- "Sexual Harassment in the #MeToo Era," Indiana Coal Council Annual Meeting, 2017
- Co-presenter, "A Wicked Web is Weaved — FMLA & ADA — Interplay with Employee Leaves, Job Accommodations and Employee Conduct," Evansville-Area Human Resource Association Spring Conference, Evansville, Indiana, April 16, 2015
- "Preparation for Depositions and Hearings," Tri-State Association of Professional Landmen, Poseyville, Illinois, Oct. 20, 2014
- "The Illinois Hydraulic Fracturing Regulatory Act," EMLF Kentucky Mineral Law Conference, Lexington, Kentucky, Oct. 24, 2013
- Panel Member, Jackson Kelly Webinar, "What does HB 2615 Mean to You? The Illinois Hydraulic Fracturing Regulatory Act."
- Panel Member, Evansville Human Resource Association Spring Seminar - Leadership in Human Resources
- Panel Member, Employment Optimization Training Series Workshop 3 - Complying with the Americans with Disability Act (ADA)

### Writings and Publications

- "How to Conduct Sexual Harassment Investigations," *Evansville Business Journal*
- "FLSA's New Overtime Regulations," *Evansville Business Journal*

## Community

- Indiana Chamber of Commerce, Employment Law Policy Committee
- Southwestern Indiana Chamber of Commerce, Government Relations Committee
- Evansville Young Life, Vanderburgh County Chairman
- Evansville Youth Hockey Association, Past President
- Highland Baseball Club, Board of Directors
- Evansville Freedom Festival Foundation, Past President (2001)
- Career Choices, Inc., Past President (2000)
- Lutheran Day Care Center, Past President
- Evansville Parks Foundation, Board of Directors

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- Southwestern Indiana Red Cross, Board of Directors