



# Frank F. Chuppe

## Senior Counsel

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### Location

400 West Market Street  
Suite 2000  
Louisville, KY 40202

### Honors



Woodward/White's *The Best Lawyers in America*® in the areas of Commercial Litigation, Municipal Litigation, Regulatory Enforcement Litigation, 2009-2020

Highest Professional Ratings by *Martindale-Hubbell Law Directory*

Recognized by his peers in *Kentucky Super Lawyers*® 2007-2020

Recognized as one of the "Top Lawyers" in the area of Administrative Law by *Louisville Magazine*, March 2014

### Education

1976 - J.D., *cum laude*, Boston College

1972 - B.A., *magna cum laude*, University of Kentucky

### Admissions

Kentucky

Frank Chuppe is a member of the Firm's Litigation & Dispute Resolution Service Team. He concentrates his practice in the area of business litigation, and also in matters involving state and local government agencies. He has litigated for and against local government agencies, and has represented numerous public officials, cities, counties and state agencies in matters involving contract rights, taxation, utilities and civil rights

### Representative Matters

Reported cases in which Mr. Chuppe has presented oral arguments to appellate courts include:

- *Commonwealth of Kentucky v. EPI Healthcare, LLC*, 362 SW3d 337 (Ky. App. 2011). Represented care provider in case upholding bar of state from recouping \$6.8 million in alleged Medicaid overpayments on grounds of collateral estoppel.
- *City of Covington v. Kenton County, Ky.*, 149 SW3d 358 (2004). Represented Appellant, City of Covington, in Kentucky Supreme Court in case on behalf of city taxpayers seeking a credit of city occupational taxes paid against county occupational taxes. City obtained reversal of Court of Appeals ruling.
- *Owens v. Maze*, Ky. App. 132 SW3d 874 (2003). Represented Appellant, an elected official, arguing that State constitution prohibited change of his compensation in mid-term, notwithstanding reduction of his duties due to government reorganization. Appellant obtained Court of Appeals decision reversing lower court opinion.
- *Jones v. Board of Trustees of Kentucky Retirement Systems, Ky.*, 910 SW2d 710 (1995). Represented Appellant, Governor of Kentucky, in defense of constitutional challenge to state budget bill. Appellants obtained Kentucky Supreme Court decision reversing lower court and upholding the budget bill.
- *City of Covington v. Board of Trustees of Policeman's and Firefighter's Retirement Fund of City of Covington, Ky.* 903 SW2d 517 (1995). Represented Appellant, City of Covington, in Kentucky Supreme Court in case involving claims by retired policemen and firefighters over City's determination of what forms of compensation were to be included in their average salary for the purpose of calculating pension benefits. City obtained reversal of Court of Appeals ruling.
- *Storer Communications v. Oldham County Board of Education, Ky. App.* 850 SW2d 340 (1993). Represented Appellant cable television company in appeal of trial court's dismissal of company's case, contending claiming such dismissal violated company's procedural due process rights. Company obtained Court of Appeals decision reversing lower court decision.

Representative cases which Mr. Chuppe has taken to trial include:

- *Park Aerial Surveys v. Louisville Airport Authority*, Jefferson Circuit Court. Mr. Chuppe was chief counsel for aerial photography business in jury trial arising from Airport Authority's condemnation of property in airport expansion.
- *D&L Trucking, Inc. v. Freuhauf*, Jefferson Circuit Court. Mr. Chuppe was chief counsel for trailer company in jury trial of breach of contract action brought by trucking company in case involving allegations of defects in a fleet of tractor trailers sold to the trucking company.
- *Schutte v. EPI Corporation*, Jefferson Circuit Court. Mr. Chuppe was chief counsel for EPI Corporation in case brought by shareholders alleging actions taken by company were in breach of shareholder agreement.
- *Nature's Resources, Inc. v. Shelbyville Municipal Water and Sewer Commission*, Shelby Circuit Court. Mr. Chuppe was chief counsel for water utility in case brought by industry claiming water quality caused damage to product.

### Professional Experience

- Former Assistant Commonwealth Attorney in Louisville
- Former Director of the Uninsured Employers Division of the Kentucky Attorney General's Office
- Former Director of the Civil Division/Frankfort for the Kentucky Attorney General's Office

### **Professional Activities and Memberships**

- Kentucky Bar Association