



## Kersti H. Kennedy

*Partner*

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(208) 388-1229

Kersti Kennedy is an experienced attorney specializing in complex commercial litigation. She represents global, national, and local clients in diverse practice areas, including contract disputes, employment law, insurance coverage, credit recovery/foreclosure, corporate governance, defamation/First Amendment, successor liability, securities, business torts, construction, and arbitration/appraisal. She practices at the trial and appellate level and has argued before the Idaho Supreme Court. Her broad legal knowledge, eye for strategy, and attention to detail allow her to formulate efficient and creative solutions to clients' legal problems.

### Practice Areas

- Construction Law
- Creditors' Rights and Bankruptcy
- Employment Law
- Litigation
- Media Law

### Industries

- Agriculture
- Banking
- Media

Prior to joining Givens Pursley, Kersti was an associate with Stoel Rives LLP. Before that, she was a staff attorney with Idaho Legal Aid Services, Inc. at the Nampa Family Justice Center, where she represented domestic violence victims in family law matters. During law school, she was an intern with the Cato Institute's Center for Constitutional Studies, and for the Honorable Alan G. Lance, Sr. at the U.S. Court of Appeals for Veterans Claims.

### Recognition

- Best Lawyers in America: Ones to Watch (Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law), 2021-2023
- TWIN (Tribute to Women in Industry) Award from Women's and Children's Alliance, 2018
- Denise O'Donnell Day Pro Bono Award from Idaho State Bar, 2015

### Education

- University of Washington School of Law, J.D., 2012
- Boise State University, B.A., Anthropology, 2007, magna cum laude; Top Ten Scholar

### Admissions

- Idaho
- U.S. District Court for the District of Idaho

### Memberships & Affiliations

- Learning Lab, Inc. Board of Directors, 2022 - present

### Experience

- Obtained summary judgment for media law client under Section 230 of the Communications Decency Act.
- Obtained favorable settlement for client in complex insurance coverage dispute.
- Obtained favorable result from Idaho Supreme Court reducing client's liability in restitution and for prejudgment interest in a complex foreclosure and credit recovery matter. *AgStar Fin. Servs., ACA v. Nw. Sand & Gravel, Inc.*, 168 Idaho 358, 483 P.3d 415 (2021).
- Drafted appellate briefs for an appeal that resulted in a favorable decision from the Idaho Supreme Court regarding a complex commercial dispute involving a dairy and livestock business. *Green River Ranches, LLC v. Silva Dairy, LLC*, 162 Idaho 385, 397 P.3d 1144 (2017).
- Drafted appellate briefs for successful appeal that circumscribed liability for implied defamation against media defendants in Idaho and reversed summary judgment against most media defendants. *Verity v. USA Today*, 164 Idaho 832, 436 P.3d 653 (2019).
- Drafted appellate briefs for an appeal that resulted in reversal of summary judgment against client in Uniform Commercial Code dispute involving a sale of hay. *Good v. Harry's Dairy, LLC*, 166 Idaho 483, 461 P.3d 765 (2020).
- Part of a team that successfully prosecuted a multi-million dollar construction delay claim for a developer against a national contractor that delivered a downtown apartment building eight months beyond the substantial completion deadline.
- First-chaired bench trial on behalf of plaintiff which resulted in a successful finding of contempt against the defendant in a multi-million dollar mining dispute.
- Part of team that obtained favorable settlement returning client's investment obtained as the result of securities fraud.
- Part of a team that successfully defeated million-dollar employment case filed against small family business. Claims included wrongful termination, breach of employment contract, and Fair Labor Standards Act claim. Most of case was dismissed on summary judgment.