

GRAVES GARRETT NEWS

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Letter from the Firm

With the holidays upon us, Graves Garrett wants to take the opportunity to wish you and your family the absolute best during this blessed season. We are grateful not only for your continued friendship but also the opportunity to work with you in an effort to advance your personal and business objectives.

We hope you enjoy this edition of our newsletter.

In 2019, we celebrated successful outcomes in high-profile matters related to the False Claims Act and health care, Title IX and education, financial loan obligations and government, and voter redistricting and Constitutional law, with the work of partners Todd Graves, Nathan Garrett, Eddie Greim and Kathleen Andrews Fisher featured in national and local media. We also elected Dane Martin and Lucinda Luetkemeyer to partnership and welcomed former acting U.S. Attorney General Matthew Whitaker to the firm.

The friendship and support of our clients means the world to us, and we wanted to take this opportunity to wish you a Merry Christmas and continued happiness and success in 2020 and beyond. ■

JOE MCGRODER LEADS THE NEXT GENERATION OF WHITE COLLAR PRACTITIONERS

Joe McGroder is a little bit of a free spirit, open to new opportunities and new experiences in all aspects of his life. A little more than four years ago, that mindset prompted Joe to join Graves Garrett's white collar practice, where he has thrived.



Joe McGroder

Joe's mom has decades of experience as a practicing attorney in Kansas City. "Growing up, I was always around lawyers and they seemed to be having more fun than anyone else — so that was the initial appeal," Joe laughs. "And, I've always been a good writer and a natural speaker, so it was a logical path."

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CATHOLIC LAWYERS GUILD OF KC HONORS GREIM WITH 2019 ST. THOMAS MORE AWARD

Graves Garrett partner Eddie Greim recently received the 2019 St. Thomas More Award from the Catholic Lawyers Guild of Kansas City during the 14th annual Red Mass held at St. Peter's Parish in



Eddie Greim

Kansas City, Missouri. The Mass was concelebrated by Bishop James V. Johnston and Archbishop Joseph F. Naumann, the respective ordinaries of the Diocese of Kansas City-St. Joseph and Archdiocese of Kansas City in Kansas, and Bishop Mark S. Rivituso, Auxiliary Bishop of the Archdiocese of St. Louis.

Erik Bendorf, board president of the Catholic Lawyers Guild, presented Greim with the award, given annually to a Guild member whose conduct in their practice and parish life is according to the standards of St. Thomas More. Greim is a member of the guild board, married with five daughters and active with Visitation Parish and School in Kansas City.

The Catholic Lawyers Guild of Kansas City and Catholic Bar Association host the Red Mass each year as part of a centuries-old tradition — first celebrated in 1245 in Paris and later spreading across Europe, offered just before an opening Court term and also as the opening of the judicial year of the Holy See's Tribunal, the Sacred Roman Rota. The first Kansas City-area Red Mass occurred in the 1950s and was later revived in 2006, when the Catholic Lawyers Guild of Kansas City formed.

The Catholic Lawyers Guild of Kansas City is one of over 60 lawyers' groups in the U.S. creating a local community for Catholic legal professionals to grow in the faith and challenge each other to live it in their professional and private lives. An affiliate of the Catholic Bar Association, which was founded in 2015, it intends to be the first national organization creating community and networking opportunities for Catholic legal professionals. ■

MISSOURI LAWYER WEEKLY NAMES LUETKEMEYER TO 2019 CLASS OF UP & COMING LAWYERS

Graves Garrett partner Lucinda Luetkemeyer recently received recognition as part of Missouri Lawyers Weekly's 2019 class of Up & Coming Award winners. The award recognizes attorneys who are 40 and younger or in their first 10 years of practice who are positively affecting the legal profession in Missouri and have demonstrated the potential for significant future success.



Lucinda Luetkemeyer

Winners were recognized during a ceremony Friday, Oct. 11, in St. Charles, Missouri, and profiled in a recent edition of Missouri Lawyers Weekly. This marks the fourth straight year Graves Garrett has had an Up & Coming honoree.

In 2019, Luetkemeyer rejoined Graves Garrett as a partner after serving as general counsel to Missouri's governor. As the administration's top lawyer, she was the chief legal officer for the executive branch, providing legal counsel to the governor, executive staff and cabinet officials. She oversaw and served as liaison to the general counsels of the more than 20 state agencies, boards and commissions in the executive branch.

Luetkemeyer conducted internal investigations and developed and implemented administration-wide policies involving the Sunshine Law, ethics and compliance; coordinated the response of the office and executive agencies to investigations and enforcement actions; and oversaw and managed major litigation in conjunction with the Missouri attorney general's office.

In her current practice, Luetkemeyer represents clients in a wide range of litigation, including complex commercial litigation, white collar criminal defense, professional liability and government enforcement matters. With experience representing elected officials, candidates, committees and nonprofit groups, she counsels clients on compliance with ethics and campaign finance laws and also represents clients facing civil and criminal enforcement actions brought by state and federal officials. ■

SUPER LAWYERS RECOGNIZES GRAVES GARRETT ATTORNEYS IN 2019

Graves Garrett is pleased to announce that four of the firm's attorneys were included in the 2019 edition of Missouri and Kansas Super Lawyers. Partners Todd Graves and Nathan Garrett were recognized as "Super Lawyers" while partners Kathleen Fisher and Dane Martin were designated as "Rising Stars."

No more than 5% of the lawyers in Missouri and Kansas are selected as Super Lawyers, and no more than 2.5% of the lawyers receive the Rising Stars distinction.

Super Lawyers recognizes the top lawyers in the state annually through a multiphase selection process. The mission of Super Lawyers is to bring visibility to those attorneys who exhibit excellence in practice. Graves has been selected for the honor for the past 15 consecutive years while Garrett has been recognized 10 years straight. Fisher (eight years) and Martin (five years) have also maintained their recognition as "Rising Stars."

Super Lawyers, part of Thomson Reuters, is a rating service of outstanding lawyers from more than 70 practice areas who have attained a high degree of peer recognition and professional achievement. The annual selections are made using a patented multiphase process that includes a statewide survey of lawyers, an independent research evaluation of candidates and peer reviews by practice area. The result is a credible, comprehensive and diverse listing of exceptional attorneys. ■

GREIM DISCUSSES FREE SPEECH AND POLITICAL ADS WITH KMBZ RADIO HOSTS

Graves Garrett partner Eddie Greim recently appeared on two broadcasts of KMBZ Radio's Midday with Jayme & Wickett show to discuss the First Amendment and the media.

In the first broadcast, on Oct. 18, Greim discussed the law and common controversies surrounding political ads and social media. Campaigns are up and running at the presidential level, and the hosts of the show asked Greim to comment on how political ads function and how and when challenges to content can be brought.

This included a discussion about social media and the potential dangers of censorship on speech by private entities that can't be held accountable for the actions. Facebook founder Mark Zuckerberg has been under intense scrutiny for his company's policies on political speech.

"Social media publishers ... have been regulators of free speech," Greim said. "And what Zuckerberg has really done ... is he's said, you know what, we have become sort of a public forum. He didn't use those words. That's what he meant, and he's saying we are not going to start policing speech here because one person's speaking truth to power is another person's libelous falsehood."

Greim extolled the benefits of having more information available to voters than at any other point in American

history, even if it is hard for voters to distinguish fact from fiction. Yet elections require the free exchange of ideas, he argued, because of the stakes: The power that government wields in America is stronger than at any point in the country's history.

"This is all political speech. It enjoys the highest level of protection under the First Amendment," Greim said. "And what I'd like to see is less regulation, less policing for content. We can have private defamation claims, but the standard is high for a public figure, and that's probably the right regime. We should let the marketplace of ideas fight it out rather than leaving it to one or two people to decide what's true and what's not."

In a later interview, on Nov. 6, Greim remarked on a recent Kansas Supreme Court ruling on whether criminal threat laws are unconstitutional under the First Amendment. The court struck down part of state legislation that criminalized violent language not backed up by an intent to act.

"This is an area we call true threats," Greim said. "The statute allows [punishment for] a reckless threat instead of a true threat. The recklessness is the part that violates the Constitution, the First Amendment.

"What the law looks at is not how the person feels who receives the

threat, the law looks at the state of the mind of the person who made the threat."

The Kansas Supreme Court overturned a criminal conviction for an individual accused of making a threatening remark related to the death of a family dog. The man had talked about taking action against those he perceived to have failed to appropriately investigate prior incidents before the dog ended up found shot in a ditch.

Greim continued: "The question is what did the speaker intend to do. This is one of the areas that we call true threat doctrine, so you have to communicate a serious expression to commit an unlawful act of violence to a particular individual. The question is do you have to intend to communicate ... the words that you say or do you have to intend to actually provoke a feeling of fear and actually threaten someone? Which is it?"

"... [T]he Kansas Supreme Court said ... 'No, you've got to intend to threaten someone, not just say the words.'" ■



Eddie Greim

FIRM PRACTICE AREAS RECEIVE NATIONAL, METRO RECOGNITIONS IN BEST LAW FIRM RANKINGS

Graves Garrett LLC is pleased to announce four total rankings for the firm in the 2020 edition of the U.S. News – Best Lawyers® Best Law Firms rankings, released in November. For the second straight year, the firm received one national Tier 3 ranking in Litigation. Additionally, the firm maintained its Kansas City Metropolitan Tier 1 rankings in Commercial Litigation, Criminal Defense: White-Collar, and Litigation.

The U.S. News – Best Lawyers® Best Law Firms rankings are based on a rigorous evaluation process, which includes input from multiple sources. To receive a ranking, a firm must have at least one attorney who is recognized in the current edition of Best Lawyers in a "Best Law Firms" ranked practice area/metro area. Practice area rankings are produced both nationally and within 186 metropolitan areas across the United States.



Todd Graves



Nathan Garrett



Eddie Greim

Graves Garrett partners Todd Graves, Nathan Garrett and Eddie Greim were individual honorees in the 2020 edition of Best Lawyers rankings. ■



Graves Garrett LLC

1100 Main Street, Suite 2700
Kansas City, MO 64105

Like his mom, Joe earned his J.D. from the University of Kansas School of Law. Entering private practice, Joe started his career representing plaintiffs in the civil arena before he became intrigued by a decidedly different opportunity — joining Graves Garrett's white collar practice.

Joe agreed to join Graves Garrett in 2015 and caught on quickly, rapidly advancing his practice. He has graduated from the Ross T. Roberts Trial Academy and completed the District of Kansas Federal Public Defender's Second Chair program — a gateway to inclusion on the Criminal Justice Act Panel, which appoints lawyers to represent indigent defendants in federal criminal cases.

"White collar defense is a practice area filled with intrigue," Joe says. "Every case presents a unique set of facts, often with some mystery and a little drama. And to be interested in my work — that's the most important aspect for me."

Born and raised in Kansas, Joe has a clear vision for his future and that of the firm's white collar practice in the greater Midwest and beyond. Joe has experience in both civil and criminal law, representing individual and corporate clients facing high-stakes investigations and prosecutions. He is experienced in guiding clients through treacherous criminal proceedings concerning a



wide array of complex issues and a variety of charges.

A cool, calm demeanor serves Joe well in his practice. "There's no substitute for preparation," he says. "I try to keep it even keel. If you're prepared, there's no reason to be anxious. And the more relaxed you are, the better you will be at presenting your case."

Joe graduated magna cum laude from Loyola University New Orleans with majors in history and English literature, but quickly determined that a bachelor's degree wouldn't be enough. "Not unless I could crank out a bestseller," he jokes. Having decided to pursue higher

education, McGroder ruled out a career in academia and applied to the University of Kansas School of Law. And the rest is history.

Joe balances his law practice with a rich personal life. He married his high school sweetheart, Lauren, in 2011 and together they have three kids, who he refers to lovingly as "the gang." Joe enjoys giving them new experiences and revels in their endless curiosity, knack for exploration, and unflinching sense of wonderment.

Personally, Joe enjoys cooking, outdoor pursuits, and attending Chiefs games with his friends and family. Of course, Joe says, there's nothing he enjoys more than sharing dinner and a bottle of wine with his wife. Joe was raised with a love for music and you can often find him at one or another of Kansas City's local live music haunts.

Joe speaks highly of the environment at Graves Garrett and particularly his relationship with partners Nathan Garrett and Kathleen Fisher, whose trust and confidence in his skill has afforded him a degree of autonomy. "I feel empowered by the firm's leadership to take control and to use my judgment to prosecute or defend my cases as I see fit," Joe says. "And to me, that's essential — I'm always looking for growth as a lawyer and as a person." ■