



## **STEVEN E. RUNYAN, PARTNER**

Steve primarily counsels and represents clients in complex commercial and contractual disputes. He regularly represents clients before federal and state courts at the trial and appellate levels, administrative agencies, and guides his clients through alternative dispute resolution procedures such as mediation and arbitration.

Steve's varied background has taught him the importance of understanding the client's issue, from both a practical and legal perspective, before setting a path to resolve the issue. He also understands the importance of keeping a client informed of the latest developments in a matter and responding promptly to client questions.

Steve has applied his extensive litigation practice to assist clients in a wide range of matters including: Employment matters, ranging from employment non-compete agreements, to claims of employment discrimination (including FMLA, ADA, Title VII, and political discrimination), to discharge based on employee theft or embezzlement; representing financial institutions in work-out and foreclosure matters as well as defense of tort and contractual claims; fiduciary matters including Director & Officer liability; assisting municipal clients in federal and state litigation; and representing candidates in elections contests and recounts.

In addition to litigation matters, Steve represents small and mid-sized businesses and their owners regarding internal disputes such as minority freeze-outs and claims of breaches of fiduciary duties, as well as external contractual disputes. Steve was named as a "Rising Star" by Indiana Super Lawyers in 2009 and 2010. He participated in the Indianapolis Bar Association's Bar Leader Series during 2011-2012, and served on the Bar Leader Series Steering Committee for the 2013-14, 2014-15, and 2015-16 classes.

Prior to earning his J.D., summa cum laude, from Indiana University School of Law – Indianapolis, Steve had a wide-ranging career which afforded him experience he now applies on behalf of his clients. Steve earned an accounting degree from the

### **CONTACT INFORMATION**

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### **EDUCATION**

*Indiana University School of Law, Indianapolis, Indiana, 2005 J.D.*

*Honors: Summa Cum Laude*

*Honors: Order of the Barristers*

*Honors: Francis J. Feeney, Jr. Tax Award for Excellence in Tax Law*

*Indiana Law Review: Note Development Editor*

### **BAR ADMISSIONS**

*Indiana Bar, 2005*

*U.S. District Court for the Southern District of Indiana, 2005*



*U.S. District Court Northern District of Indiana, 2005*

*U.S. District Court Western District of Michigan, 2008*

*U.S. Court of Appeals 7th Circuit, 2012*

*U.S. District Court for the Central District of Illinois, 2014*

**PRACTICE AREAS**

*Business Litigation*

*Ethics Investigations and Crisis Management*

*Appellate Practice*

*Arbitration*

*Employment Litigation*

*Election Law*

University of Northern Iowa and successfully completed the Certified Public Accountant Examination. He then spent over six years as an officer in the United States Air Force, primarily as a Special Agent with the Air Force of Special Investigations. As a Special Agent he investigated allegations of criminal and fraudulent conduct, to include complex fraud targeting critical Air Force weapons systems. Steve led an overseas unit tasked with providing mission critical counter-intelligence and anti-terrorism support. Following his service in the Air Force, he served as a project manager in the new model development group for Honda of America Manufacturing in East Liberty, Ohio.

**PROFESSIONAL EXPERIENCE**

- Represented municipality in lawsuit by former employee alleging termination violated Title VII of the Civil Rights Act of 1964 (racial discrimination).
- Represented client-defendant in claims of FMLA and ADA violations.
- Represented clients against tort claims relating to Director & Officer liability.
- Represented seller of apartment buildings in litigation resulting from buyer's failure to close on sale. Action proceeded to trial on the merits.
- Represented defendant in a breach of contract action after business transaction failed.
- Represented sellers of land in dispute with developer over failure of phased purchase of land. Action proceeded to trial on the merits.
- Represented client bank in defense of counterclaim by borrower that bank conspired to inflate value of property to the detriment of borrower.
- Represented Town Board of Police Commissioners, and individual commissioners in lawsuit brought by former chief of police after his removal by the board alleging violations of the Open Door Law.
- Represented minority shareholder in closely held corporation dispute after majority members terminated client and attempted freeze-out.
- Represented municipal client in multiple claims of political discrimination and wrongful termination.
- Firm assumed representation of client-property owner in dispute over damage caused by tenant after client had previously been denied summary judgment.
- Defended buyer-client in breach of contract claim in which seller sought repossession of business.
- Represented minority member in closely-held corporation. Investigated allegations of multiple breaches of fiduciary duties by adverse members.



- Represented client in dispute with two former business partners who had forged his name on a promissory note and mortgage. After partners filed individual bankruptcies, bank sought to foreclose mortgage and hold client liable for deficiency on promissory note. Prosecuted adversary proceedings in bankruptcy court to hold partners liable for forgery and determination that the debt resulting from the forgery was nondischargeable.

**Appellate Cases:**

- Represented borrower in foreclosure matter relating to a deficiency judgment arising from out of state nonjudicial foreclosure
- Represented financial institution in response to claims of fraud and misrepresentation
- Represented financial institution in foreclosure matter in which borrower claimed, and trial court held, terms of renewal were ambiguous. Court of Appeals reversed, holding the agreement was unambiguous.
- Represented municipality in a case involving failure to return funds held in trust. Court held the cause of action does not accrue until demand is made for return of the funds or the trustee claims an interest in the trust property.
- Represented medical practice in preliminary injunction proceedings and through appeals in which physician asserted noncompete agreements in the medical field were against public policy. Indiana Supreme Court upheld validity of noncompetes in the medical field and established new guidelines to determine enforceability. Significantly, the Indiana Supreme Court, on a matter of first impression, upheld the validity of a no defense clause. An employee seeking to avoid a noncompete provision will often claim that the noncompete provision should be invalidated because the employer breached the contract prior to the termination of the employment relationship. A no defense clause in a contract provides that if the employer first breaches the contract, the breach only gives rise to a cause action for damages resulting from the breach, but that it does not provide a defense to the noncompete clause.
- Appellate representation of party in a land transaction. Court of Appeals considered whether evidence existed to find that the sellers acted with the intent to defraud regarding the quality of the land at issue.

**PROFESSIONAL ASSOCIATIONS**

- American Bar Association
- Indiana State Bar Association
- Indianapolis Bar Association
- Hamilton County Bar Association

**HONORS AND AWARDS**

- Selected for Indianapolis Bar Association's Bar Leader Series, 2011-2012 Class
- Indiana Super Lawyers "Rising Star," 2009 & 2010
- Indiana Law Review, Note Development Editor, 2004-2005
- Order of the Barristers
- Recipient, Francis J. Feeney, Jr. Tax Award for Excellence in Tax Law