



Kevin M. Kennedy

PARTNER

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Kevin Kennedy is a Partner in the firm's Litigation Department and a member of the Franchise and Distribution Practice Group. For over two decades, Mr. Kennedy has represented the Subway® franchisor, its affiliates, and other franchise concepts in numerous state and federal court lawsuits, arbitrations, and mediations across the country. He played an integral role in the firm's successful efforts to enforce the Subway® arbitration clause, which produced numerous leading federal and state appellate decisions on franchise arbitration and resulted in four putative class actions and dozens of individual lawsuits being dismissed or enjoined in favor of arbitration. He has tried numerous arbitrations and lawsuits to conclusion, and has argued and won appeals before the U.S. Court of Appeals for the Second and Seventh Circuits, the Connecticut Appellate Court, and the Connecticut Supreme Court. Mr. Kennedy has been selected for inclusion to *The Best Lawyers in America* in the Franchise Law category since 2006 and was twice named a "Lawyer of the Year" by *Best Lawyers* in the area of franchising. He frequently writes and speaks about franchising, arbitration, and ethics issues.

Mr. Kennedy has also served as the Firm's General Counsel since 2007. In this capacity, Kevin serves as the principal legal counsel to the Firm's Managing Partner and Executive Committee. He also provides day-to-day advice to firm lawyers and staff regarding legal ethics and firm policies.

Mr. Kennedy obtained his J.D. with honors from the University of Connecticut Law School and graduated from Connecticut College *summa cum laude* and a member of Phi Beta Kappa.

Education

- University of Connecticut School of Law (J.D., 1991)
- Connecticut College (B.A., 1988)

- summa cum laude
- Phi Beta Kappa

Bar Admissions

- Connecticut

Court Admissions

- US Court of Appeals for the Second Circuit

Publications

July 17, 2006

Stolt-Nielsen SA: Prehearing Subpoenas on Third Parties Upheld by Arbitrators

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January 24, 2006

2.3 Million Verdict Affirmed for Insurance Agent Under Connecticut Franchise Act

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October 27, 2003

Green Tree Financial Corp. v. Bazzle: A New Day for Class Arbitrations?

Franchise Law Journal, American Bar Association, Fall 2003, Volume 23, Number 2

January 23, 2003

Considerations for Franchisors and Manufacturers in a Termination Case

Reprinted with permission from The Connecticut Law Tribune, January 23, 2003

October 13, 2002

Drafting an Enforceable Franchise Agreement Arbitration Clause

Reprinted with Permission of the Franchise Law Journal (American Bar Association), Volume 22, Number 2, Fall 2002

April 18, 2001

The Use of Daubert and Its Progeny to Attack Lost-Profit Claims

Reprinted with permission of The Franchise Law Journal (American Bar Association) Volume 20, Number 3 Winter 2001