



PHILLIP M. MOLONEY

Member
pmoloney@sturgillturner.com

EDUCATION

University of Kentucky, B.S. (1977)
University of Kentucky, J.D. (1982)

SERVICE AREAS

Business Law & Litigation
Construction Law
Government & Municipal Law
Wills, Trusts & Estates

AFFILIATIONS

Fayette County Bar Association
Kentucky Bar Association: Construction
Law Section
American Bar Association: Litigation,
Real Property, and Trusts & Estates
Sections
American Association for Justice
Kentucky Justice Association
Kentucky Bar Foundation: Board of
Directors (2004-2012); President (2009-
2010); Life Fellow

ACCOLADES

Best Lawyers in America® Personal
Injury Litigation - Defendants Lexington
Lawyer of the Year (2018)
Best Lawyers In America®: Personal
Injury Litigation - Defendants
Kentucky Super Lawyers®: Personal
Injury Plaintiff: General, Construction
Litigation, Business/Corporate
AV Preeminent® Peer Review Rated by
Martindale-Hubbell®
Assistant Fayette County Attorney
(1982-1986)
Managing Member, Sturgill, Turner,
Barker & Moloney (2000-2009)

COMMUNITY OUTREACH

Leadership Central Kentucky (2006-
2007)
Lexington Directions, Past President
Lexington Historical Museum, Board of
Trustees (2005-2012)
Rotary Club of Lexington (Sunrise),
President (2006-2007)

Phil's multi-faceted legal practice includes advising clients in the acquisition and disposition of real estate; providing estate planning, will drafting and estate administration services; and counseling clients on business matters, contract formation and disputes. He is the attorney for the City of Midway, Kentucky, and possesses a thorough knowledge of public entity law, open records and meetings law, procurement law, and easement and zoning issues.

Phil's practice also features trial work, including construction and real estate litigation involving construction defects, differing site conditions, allegations of fraudulent and negligent representation asserted against contractors, subcontractors and realtors, and payment and performance bond issues.

EXPERIENCE

Waldrige v. Homeservices of Kentucky, Inc., 384 S.W.3d 165 (Ky.App. 2011) involved representation of homeowners against a seller's real estate agent and firm, and recognition by the court on appeal that an agent owes a buyer the duty to not commit fraud by either misrepresenting a material fact or by failing to disclose a material fact of which they have actual knowledge and of which the buyer is unaware.

Georgetown Municipal Water & Sewer Service v. Bur-Wal, Inc., 242 S.W.3d 661 (Ky.App. 2001) involved representation of the municipal water and sewer service and holding by the court that neither a municipal water service nor the city are required to reimburse developers for their costs involved in installing water and sewer lines and finding that KRS 96.359 was inapplicable to the developer's claim.

Real Estate Marketing v. Franz, 885 S.W.2d 921 (Ky. 1994) resulted in a finding in favor of the client Franz by adopting and recognizing that an implied warranty of habitability claim exists regarding major structural features and acknowledging that a private independent cause of action exists for violating the uniform state building code.

Leitsch v. Leitsch, 839 S.W.2d 287 (Ky.App. 1992) held that failure to award in favor of him (a disabled husband) sufficient maintenance from the wife to meet his needs by requiring that he depend on the generosity of family and friends to adequately support him was an abuse of discretion by the trial court.

