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Success in Kentucky State Court Litigation

March 26, 2012 | Peter J. Hopkins, Thomas C. Trauger

Spiegel partners Tom Trauger and Peter Hopkins, working with local counsel, successfully defended the City of Benham, Kentucky and the Benham Power Board against a complaint brought by Kentucky Utilities seeking a judicial declaration that it was entitled to terminate its wholesale power agreement with Benham. In an opinion and order issued March 26, 2012, Judge Wingate granted Benham's motion to dismiss and ruled that the "[Federal Energy Regulatory Commission] must approve any termination of this contract," and that it was not proper for the Court to issue an advisory opinion in the matter.

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