



RICHARD P. BILLINGS

SPECIAL COUNSEL

TOPEKA OFFICE

822 S. Kansas Avenue, Suite 200

Topeka, KS 66612-1203

T: 785.354.9431

rbillings@foulston.com

PROFILE

Richard Billings is a trial lawyer engaged in all phases of civil litigation in state, federal, and appellate courts. Based in Topeka, he is a member of Foulston's litigation team. In 20 years of practice, Richard's experience includes handling personal injury, disability, and insurance coverage matters in jury trials and administrative agency hearings and appeals. His practice focuses on insurance defense.

Prior to joining Foulston, Richard honed his litigation skills by beginning his career primarily representing plaintiffs in personal injury cases while operating his own law firm, and in private practice with two Topeka law firms. He served as an adjunct professor at Washburn University School of Law from 2005-2011, teaching trial advocacy competition teams to give law students practical experience. In 2014, Richard joined another Topeka firm and has dedicated his practice to defending insurance carriers and their insureds in a wide variety of civil lawsuits since that time.

Outside of the office, Richard and his wife, Kathleen, love spending time cheering on their four children in their many sports and other activities. Richard has enjoyed having the opportunity over the years to spend more quality time with his children by coaching his daughter's softball team and each of his three sons' baseball teams.

Education

- Washburn University School of Law (J.D., *Dean's Honors*, 2005)
- University of Kansas (B.S. in Business Administration, 2002)

Admissions

- Kansas (2005)
- U.S. District Court for the District of Kansas (2005)

PRACTICE AREAS

FOULSTON

ATTORNEYS AT LAW

- Insurance Defense Litigation
- Litigation & Disputes

INDUSTRIES

- Insurance

RELEVANT EXPERIENCE

- Obtained defense verdict on liability at trial for Kansas farmer and farm employee in claim arising from highway accident following a blown-out tire on client's semi-trailer.
- Obtained defense verdict on liability at trial on behalf of high school student who rear-ended box truck that was parked on roadway.
- Obtained defense verdict on liability at trial on behalf of driver who rear-ended vehicle that abruptly stopped ahead of her.
- Obtained defense verdict on liability at trial on behalf of driver whose vehicle became disabled on the highway and was struck by plaintiff's vehicle.
- Defense counsel for broker and realtor against homebuyers' claims of fraud, negligent misrepresentation, and under the KCPA. Successfully argued against plaintiffs' attempts to amend their claims to seek punitive damages.
- Defense counsel for local franchisee of national restaurant franchise in case alleging strict liability and negligence after minor allegedly contracted *E. coli* O157.H7.
- Successfully compelled arbitration and defended construction company in arbitration against construction defect claims brought by buyer of new home.
- Obtained temporary restraining order and permanent injunction for insurance company enforcing non-competition and non-disclosure agreements against former agent.
- Obtained dismissal of civil rights claims against municipality and law enforcement officers.
- Obtained summary judgment, affirmed on appeal, for veterinarian landowner on premises liability claims of independent contractor injured while deworming horses.
- Obtained summary judgment on plaintiff's tort of outrage claim against dog owner after a dog bite incident.
- Obtained summary judgment for apartment owner on tenant's premises liability claims arising out of a fall on the property.
- Obtained summary judgment for dog owners on all of plaintiff's claims arising from a dog bite on defendants' property.
- Obtained summary judgment for property owners on all of plaintiff's claims arising from a dog bite by a tenant's dog.
- Successfully argued against plaintiff's attempt to seek punitive damages from defendant driver alleged to have been driving under the influence of alcohol.
- Defense counsel for chemical company against claims of trademark infringement, breach of contract, unjust enrichment, tortious interference, and civil conspiracy. Obtained partial summary judgment on multiple Lanham Act claims, unjust enrichment claim, and civil conspiracy claim.

FOULSTON

ATTORNEYS AT LAW

- Defense counsel for seller of commercial real estate in case alleging breach of contract, tortious interference, fraud, negligent misrepresentation, and civil conspiracy arising out of \$12.2 million sale of commercial property.
- Defense counsel for hospital staffing company in third-party claim by hospital arising from alleged medical malpractice.
- Obtained partial summary judgment for construction company on plaintiffs' fraud claims in construction defect case.

PROFESSIONAL MEMBERSHIPS, AFFILIATIONS, AND HONORS

- Washburn University School of Law, Adjunct Professor (2005-2011); Trial Advocacy Competition

RECENT PRESENTATIONS

2017

- Federal/State Laws and Court Rules Affecting Electronic Evidence (NBI, Inc., Email, Smartphone and Social Media Evidence)
- Major Elements of Local Procedure (NBI, Inc., Personal Injury 101)
- Standing on Ethical Ground (NBI, Inc., Personal Injury 101)

2011

- Strategies for Successfully Litigating Automobile Cases (Kansas Association for Justice, Best of CLE)

COMMUNITY INVOLVEMENT

- Southwest Youth Athletic Association, Youth Softball and Baseball Coach