

John A. Kinney  
900 South 75<sup>th</sup> Street  
Omaha, NE 68114

## ***BIOGRAPHY***

John A. Kinney is a partner with KINNEY MASON, P.C., L.L.O. a boutique litigation and small business law firm that offers legal services to individual and business clients in Omaha, Nebraska ([www.kinneymason.com](http://www.kinneymason.com)). John attended Boston College, where he obtained his Bachelor's Degree (cum laude) in 1989 (English and Political Science). He attended DePaul University College of Law, Chicago, Illinois, where he obtained his Juris Doctorate Degree in 1994. Mr. Kinney has been the principal litigator in jury trials in both federal and state courts. He has represented individual clients in divorces, civil litigation, personal injury cases, privacy cases, contract disputes and commercial law matters. Mr. Kinney has been a fellow with the American Academy of Matrimonial Lawyers since 2007 and presented on the topic of cell phone privacy during the Chicago national meeting of the AAML in 2017 and on the issue of spousal wiretapping and privacy to the Oregon State Bar in 2018. Mr. Kinney is one of the only lawyers who has ever successfully obtained a money judgment in a wiretap case involving spouses or former spouses.

## ***PROFESSIONAL EXPERIENCE***

### KINNEY MASON, PC, LLO, Omaha, NE

9/08-present

Owner/Founder

Litigator, Mediator, Collaborative Lawyer and Partner in a dynamic Omaha law firm. Managed and supervised growth of firm and development of firm procedures and dynamics. Hundreds of businesses formed and cases tried in successful 11-year history.

### GOVIER, MILONE & KINNEY, LLP, Omaha, NE

9/05-9/08

Partner

Partner in small Omaha law firm specializing in divorce litigation and estate planning. Represented several small businesses.

### DWYER, SMITH, GARDNER, LAZER, POHREN, ROGERS & FORREST, LLP

Omaha, NE

1/99-9/05

Partner

Fully participating partner in medium-sized Omaha law firm. Managed associate attorneys; responsible for all phases of litigation practice, divorce, personal injury and civil rights practice.

FROST, MEYERS, GUILFOYLE & GOVIER, Omaha, NE

9/95-1/99

Associate Attorney

Litigation associate responsible for large caseload. Experience in personal injury, domestic relations, medical malpractice, probate, guardianship/conservatorship, real estate, contract, and general litigation. Professional practice included consultation with clients, depositions, interviewing witnesses, drafting pleadings, motion practice and trial. Responsible for drafting trial briefs and appellate briefs.

COOK COUNTY STATE'S ATTORNEYS OFFICE, Chicago, IL

5/93-9/93

Summer Clerk

Experience included research and writing trial briefs, and participation in preliminary hearings. Personally tried felony drug cases under supervision by senior attorneys.

MCI TELECOMMUNICATIONS CORPORATION, Chicago, IL

5/92-9/92

Intern

Researched state administrative law for several cases in the regulatory division of corporation. Wrote legal memoranda and prepared MCI testimony on intraLATA competition in Oklahoma and Michigan.

HOUSE SUBCOMMITTEE ON TELECOMMUNICATIONS, Wash., D.C.

5/90-9/91

Legislative Assistant

Researched proposed legislation and prepared legislative summaries, memoranda, and bill report language. Met with industry representatives to discuss impact of legislation. Prepared witnesses and briefed committee staff for subcommittee hearings and mark-ups.

MOUNT MICHAEL HIGH SCHOOL, Elkhorn, NE

8/89-5/90

Teacher/Coach

Volunteer teacher and coach at Mt. Michael High, teaching American government and English. Coached freshman basketball team and assisted varsity football team.

***EDUCATION***

DEPAUL UNIVERSITY COLLEGE OF LAW, Chicago, IL

Juris Doctor - May 1994; Moot Court President; Wagner Labor Law Competition

BOSTON COLLEGE, Chestnut Hill, MA

Bachelor of Arts, cum laude - May 1989. Double major in English and political science.

## **PRIVACY CASES**

*Lewton et al v. Divingnzzo et al*, No. 8:2009cv00002 - Document 183 (D. Neb. 2011) (civil wiretap and privacy case; served as Plaintiff's counsel; judgment for \$140,000 and attorney's fees awarded; **recording device placed in Teddy bear**).

*Heimes v. Pippin, et al.* CASE NO. CI 08 – 917, Douglas County (Nebraska) District Court - 2008 (served as Defendant's counsel; settled; **GPS device placed on ex-wife's car**).

*Atteberry v Atteberry*, No. 1:15-cv-00037 (Southern D. Iowa 2015) (civil wiretap and privacy case; served as Defendant's counsel; settled; **placement of Brickhouse Security Stealth iBot device to monitor computer**).

*Livingston v Cook* No. 1:16-cv-00017-SMR-CFB – Document 1 (Southern D. Iowa 2016) (civil wiretap and privacy case; served as Plaintiff's counsel; settled; **recording device placed in vehicle**)

*Green et al v. Muehlenbein-Gillan*, No. 3:15-cv-00756(Southern D. Illinois 2015) (civil wiretap and privacy case; served as Plaintiff's counsel; settled; **defendant duct-taped recording device to minor child**)

*Martin et al v. Markoski*, No. 4:12-cv-01144 (D. Texas 2012) (civil wiretap and privacy case; served as Plaintiff's counsel; settled; **defendant sewed recording device into pocket on minor child pants**)

## **APPELLATE CASES**

*Morello v. City of Omaha*, Court of Appeals of Nebraska (January 23, 1996) Not Reported in N.W.2d 1996 WL 23348 A-94-307

*Billups v. Scott*, Supreme Court of Nebraska (November 07, 1997) 253 Neb. 287, 571 N.W.2d 603

*Belitz v. Belitz*, Court of Appeals of Nebraska (January 12, 1999) 8 Neb.App. 41, 587 N.W.2d 709 A-98-173

*Susan H. v. Keith L.*, Supreme Court of Nebraska (April 27, 2000) 259 Neb. 322, 609 N.W.2d 659

*State ex rel. Steinke v. Lautenbaugh*, Supreme Court of Nebraska (April 10, 2002) 263 Neb. 652, 642 N.W.2d 132

*Webster v. Webster*, Supreme Court of Nebraska (June 16, 2006) 271 Neb. 788, 716 N.W.2d 47

*Wibbels v. Wibbels*, Court of Appeals of Nebraska (January 29, 2013) Not Reported in N.W.2d 2013 WL 323444 A-12-203

*Sutton v. Sutton*, Court of Appeals of Nebraska (April 02, 2013) Not Reported in N.W.2d 2013 WL 2106772 A-11-1110

*Peterson v. Peterson*, Court of Appeals of Nebraska (November 25, 2014) Not Reported in N.W.2d 2014 WL 6661040 A-14-156

*Bryan M. v. Anne B.*, Supreme Court of Nebraska (February 12, 2016) 292 Neb. 725, 874 N.W.2d 824

*Anderson v. Finkle*, Supreme Court of Nebraska (June 02, 2017) 296 Neb. 797, 896 N.W.2d 606