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## **CURRICULUM VITAE**

**Name:** Matthew G. Sease  
Kemp & Sease (co-founding member, 2010-2019)  
Sease & Wadding (co-founding member, 2019-present)

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### **Education**

Undergraduate: Drake University; B.S. in Biology 2005. Beta Beta Beta Biological Honor Society

Law School: Drake University; Juris Doctorate with honors 2010; certificates in Constitutional Law and Civil Rights; Litigation/Dispute Resolution

### Academic Awards/Recognitions:

- Student Law Clerk/Intern the Honorable James E. Gritzner
- Staff Member Drake Journal of Agricultural Law
- Vice President of the Moot Court Board
- Captain of the National Moot Court team
- Intellectual Property Moot Court team
- Order of the Barristers
- Student Attorney Drake Law School Criminal Defense Clinic (introductory clinic, Advanced Appellate Clinic, Advanced criminal law clinic) (handling appeals, indictable misdemeanors, felonies (including first degree murder))
- Robert J. Kromminga Award (given to top criminal defense clinic attorney as chosen by faculty)
- Supreme Court Day finalist (argued before the Iowa Supreme Court as a third year law student)
- CALI Excellence in Education Award-Intellectual Property Litigation (Top Grade)

### **Admissions:**

- State of Iowa – 2010;
- Northern District of Iowa – 2010;
- Southern District of Iowa – 2010;
- Eighth Circuit Court of Appeals – 2011
- Seventh Circuit Court of Appeals - 2018

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### **Professional Affiliations:**

- Million Dollar Advocates Forum (Member);
- America's Top 100 Attorneys Lifetime Achievement Award;
- National Academy of Criminal Defense Attorneys Top 10 Under 40 Award (Iowa);
- Super Lawyers Rising Star-Criminal Defense;
- Iowa Bar Association;
- Blackstone Inn of Court;
- Polk County Bar Association;
- Iowa Bar Association Jury Instruction Committee;
- Iowa Bar Association General Practice Council Member;
- Iowa Bar Association Young Lawyers Division;
- Drake Law School Board of Counselors (2011-2017)

### **Litigation Experience:**

Experience handling litigation in the following areas:

- Civil/Commercial litigation (contract disputes, construction disputes, personal injury, professional malpractice, business disputes, employment discrimination, probate/will contests, plaintiff and defendant, etc.)
- Criminal litigation (misdemeanor and felonies; including Burglary in the First Degree, Robbery in the First Degree, Vehicular Homicide, Murder in the First Degree)
- Appellate practice (civil, divorce/custody, and criminal appeals, briefing and oral arguments before the Iowa Supreme Court, Iowa Court of Appeals, Eighth Circuit Court of Appeals and Seventh Circuit Court of Appeals)

### **Publications/Presentations:**

*What's That Smell: Septic Systems and Iowa's Time of Transfer Law*, Note, Drake Journal of Agricultural Law Vol. 16, No. 2 (2011).

*Insurance Coverage: Determining What and Whom is Protected* – 2019 Construction Law Boot Camp – National Business Institute

*Juveniles and the Iowa Felony Murder Rule* – 2017 Iowa Association of Criminal Defense Lawyer

*Effective Use of a Private Investigator*- 2016 Criminal law Seminar Iowa Bar Association

*Effective Assistance of Counsel* – 2015 Drake University Law School Criminal Procedure II

*Opening a Practice* – co-presenter; 2014 Iowa Bar Association Annual Meeting

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Going Solo Seminar – 2012 Drake University Law School Career Development Office

**Representative Cases:**

**Jury Trials**

*State v. Michael Warnick*, Story County Case Number AGCR045580 (Sexual Misconduct with Inmate)

*State v. Earl Freeman*, Polk County Case Number FECR242299 (Felon in Possession of Firearm)

*State v. Gary Hendriks, III*, Polk County Case Number SRCR251228 (Possession of Marijuana)

*State v. Thomas Dugan*, Guthrie County Case Number FECR019824 (Vehicular Homicide)

*State v. Michael Dickey*, Polk County Case Number FECR254216 (Theft in the Second Degree)

*State v. Mikel Van Arkel*, Polk County Case Number AGCR273099 (Assault Causing Bodily Injury)

*State v. Lonnie Lee Jackson*, Polk County Case Number FECR317492 (Burglary in the First Degree, Sexual Abuse in the Third Degree, Robbery in the Second Degree, Theft in the Second Degree, Theft in the Third Degree, 14 counts of Credit Card Fraud, Habitual Offender Enhancements) (plead guilty second day of trial to significantly reduced charges)

*State v. Michael Lee Bell, Jr.*, Polk County Case Number FECR310673 (Murder in the First Degree)

*Luken v. Edwards*, Northern District of Iowa 10-4097-MWB (Federal and State Wiretapping)

*Estate of Pepper, et al v. Whitehead, et al*, Southern District of Iowa 09-524-JEG-RAW (Dispute involving conversion and gifts of Elvis Presley memorabilia)

*Rennenger v. Manley Toy Direct, L.L.C.*, Southern District of Iowa 10-cv-400-JEG-RAW (Employment Discrimination)

*Alvarez v. Estherville ELKS Lodge No. 528* Emmett County Case Number LACV018240 (Slip and Fall/Snow and Ice)

*The Hansen Company, Inc v. RedNet Environmental Services, LLC.*, Polk County Case Number LACL129688 (Complex commercial litigation involving a breach of construction contract on the Younkers Building in Des Moines. Jury awarded client over \$1.3 million on Counterclaim and \$250,000 in punitive damages. Majority of the award affirmed in *The Hansen Company, Inc v. RedNet Environmental Services, LLC.*, 16-0735 (Iowa Court of Appeals 2017)).

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*M.L. v. Immanuel Lutheran Church*, Dickinson County Case LACV027525 (Daycare abuse case, Jury Verdict of \$100,000)

*Estate of Douglas M. West v. Domina Law Group, et al*, Southern District of Iowa 16-cv-0030 (Complex Legal Malpractice claim)

*Megan and David Moritz v. Tyler Custom Homes, LTD, et al*, Polk County Case Number LACL135693 (Defective Construction/Breach of Contract)

### **Bench Trials**

*Morrell Company, LC, v. Rural Water System Number 1*, Sioux County Case Number LACV022152 (second chair, defense of claims for unpaid bill, ultimately obtained favorable settlement on appeal)

*Trustees of Iowa Laborers, et al v. Ankeny Community School, et al*, Polk County Case Number EQCE070373 (complex commercial litigation involving numerous construction liens and counterclaims/crossclaims involving building owners, general contractors, subcontractors and suppliers. Client ultimately awarded over \$1.75 million. Majority of the award affirmed on appeal in *Oldcastle APG West, Inc. v. Grove Masonry, Inc.*, 865 N.W.2d 270 (Iowa App. 2014) and settled while application for further review was pending before Iowa Supreme Court).

*Shinn v. Farmer*, Southern District of Iowa 14-cv-452 (issues involving fraud, breach of contract and unjust enrichment)

*Deb and Al Poller v. Okoboji Classic Cars*, Dickinson County Case Number LACV027296 (violations of Iowa Consumer Fraud and Breach of Contract)

*Joseph Morrissey v. International Workshops, et al*, Polk County Case Number LACL135746 (securities violations and claims of fraudulent misrepresentation)

*McGuire Construction, Inc. v. Portzen Construction, Inc., et al*, Johnson County Case Number EQCV080002 (complex construction litigation regarding unpaid amounts due and owing and allegations of defective workmanship)

### **Appellate Cases**

*State v. Moment*, 2010 WL 1052075 (Iowa App.) (student intern with the Iowa State Appellate Defender's office)

*Oldenkamp v. Iowa Dept. of Public Safety*, 2011 WL 5395062 (Iowa App.) (appeal of sex offender registration requirements) (oral argument)

*In re Marriage of Luken*, 2012 WL 4097269 (Iowa App.) (affirming district court's denial of a motion to set aside the previously entered divorce decree)

*Estate of Pepper v. Whitehead*, 686 F.3d 658 (8<sup>th</sup> Cir. 2012) (reversing district court's award of summary judgment to defendant and remanded for trial) (oral argument)

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*Doe v. Koenigs*, 2012 WL 6194351 (Iowa App.) (issues involving redisclosure of child abuse registry information) (oral argument)

*State v. Stephenson*, 2013 WL 5498112 (Iowa App.) (appeal from jury verdict)

*Kramersmeier v. State*, 2013 WL 447414 (Iowa App.) (appeal regarding post-conviction relief proceedings)

*In re Marriage of Cleveringa*, 2014 WL 3511881 (Iowa App.) (reversing district court's award of primary custody to the father and returned primary care to the mother) (oral argument)

*Slycord v. Garrett*, 2014 WL 1714966 (Iowa App.) (appeal regarding property line dispute)

*Oldcastle APG West, Inc. v. Grove Masonry, Inc.*, 865 N.W.2d 270 (Iowa App. 2014) (oral argument)

*Estate of Pepper v. Whitehead*, 780 F.3d 856 (8<sup>th</sup> Cir. 2015) (appeal from adverse jury verdict) (oral argument)

*In re A.H.*, 2015 WL 1332322 (Iowa App.) (appeal from CINA proceedings)

*State v. Lowery*, 2015 WL 9451068 (Iowa App.) (reversing a jury verdict finding defendant guilty of operating while intoxicated resulting in complete dismissal of charges)

*State v. Bryan*, 2015 WL 1546424 (Iowa App.) (issues involving seizure and police encounters)

*Fay v. State*, 2015 WL 3915631 (Iowa App.) (appeal of post-conviction relief proceedings).

*Thul v. Iowa Dist. Court for Kossuth County*, 2016 WL 5930637 (Iowa App.) (appeal of contempt finding).

*NuStar Farms, LLC v. Zylstra*, 880 N.W.2d 478 (Iowa 2016) (reversing district court's refusal to remove opposing counsel due to conflict of interest)

*State v. Dahl*, 874 N.W.2d 348 (Iowa 2016) (as an issue of first impression, reversing district court's refusal to allow a criminal defense attorney's application for a private investigator to be heard outside the presence of the prosecution) (oral argument)

*In re Marriage of Thul*, 2016 WL 3003464 (Iowa App.) (issues involving alimony and property distribution)

*Stouffer v. State*, 2016 WL 146247 (Iowa App.) (appeal involving post-conviction relief proceedings)

*State v. Halverson*, 2017 WL 5178997 (Iowa App.) (issues involving motions to suppress)

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*In re Marriage of Schumacher*, 2017 WL 3525305 (Iowa App.) (affirming district court's child custody determination)

*In re Marriage of Kruse*, 2017 WL 4049234 (Iowa App.) (appeal regarding repudiation and postsecondary education)

*Riley v. Riley*, 2017 WL 512477 (Iowa App.) (issues involving Iowa Elder Abuse Statute) (oral argument)

*Hyde v. Mann*, 2017 WL 2461611 (Iowa App.) (child custody dispute) (oral argument)

*In re Marriage of Williams*, 2017 WL 2875392 (child custody/modification)

*The Hansen Company, Inc v. RedNet Environmental Services, LLC.*, 2017 WL 4570406 (Iowa App.) (oral argument)

*State v. Phipps*, 2018 WL 540438 (Iowa App.) (reversing the district court's imposition of surcharges on a defendant as an illegal sentence)

*In re E.T.*, 2018 WL 1182566 (Iowa App. (private termination of parental rights)

*In re Estate of Erickson*, 2018 WL 3471093 (Iowa App.) (affirming will contest, tortious interference and attorney fees) (oral argument)

*Finken v. West*, 910 N.W.2d 629 (Iowa App.) (issues involving intervention and prejudgment garnishments) (oral argument)

*In re Marriage of Erpelding*, 917 N.W.2d 235 (Iowa 2018) (in an issue of first impression, Iowa Supreme Court set parameters as to what attorneys' fees may be waived by a premarital agreement) (oral argument at Supreme Court and Court of Appeals)

*State v. Harrison*, 914 N.W.2d 178 (Iowa 2018) (challenging the felony murder rule as applied to juveniles) (oral argument)

*In re Marriage of Mertz and Hassler*, 2018 WL 2084861 (Iowa App.) (issues involving child custody) (oral argument)

*Shinn v. Farmer*, 746 Fed.Appx. 608 (8th Cir.)

*Reed, et al v. Charles Palmer*, 906 F.3d 540 (7<sup>th</sup> Cir.) (issues involving qualified immunity and pre-answer motion to dismiss) (oral argument)

*In re Marriage of Dorr*, 2019 WL 478502 (Iowa App.) (issues involving alimony) (oral argument)

*Blair v. Scott*, 2019 WL 1752705 (Iowa App.) (issues involving child custody)

*Granstra v. Driesen*, (Iowa App.) (issues involving child custody)

*State v. Stoppelmoor*, (Iowa App.) (issues involving motion to suppress)

*In re Marriage of Mann*, (Iowa 2020) (issues involving alimony)

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*Estate of West v. Domina Law Group, et al*, (8<sup>th</sup> Cir. 2020) (issues regarding the admission of expert witness testimony) (oral argument)

*Morrissey v. Watts* (Iowa App.) (issues regarding fraud misrepresentation) (oral argument)

*Sadusky v. Lake Creek Ara Sanitary Sewer District*, (Iowa App.) (issues regarding the granting of summary judgment and the establishment of a sanitary sewer district) (oral argument)

*Poller v. Okoboji Classic Cars, LLC*, (issues regarding Iowa Consumer Protection Act)

*State v. Van Hemert*, (issues regarding stand your ground and second degree murder)

*State v. Freking*, (issues involving motion to suppress)

*In re Marriage of Pettus*, (Iowa App.) (issues regarding child custody)

*Hoffman v. Clark*, (issues regarding jury verdict)