



DOUGLAS KAY

Principal and Department Chair, Tysons Corner

PRACTICE AREAS

- Alternative Dispute Resolution
- Cannabis Law
- Commercial Litigation
- Criminal Defense Litigation and Appeal
- Restrictive Covenants and Trade Secret Protection
- Government Contracting
- Privacy and Data Protection

ACTIVITIES

- Commissioner, Ad Hoc Police Practices Review Commission (2015)
- Panel Member, Fairfax Police Civilian Review Panel (2017-Present) (Past Chair and Vice Chair)
- Virginia State Bar Council for 19th Judicial Circuit
- Virginia State Bar Standing Committee on Professionalism
- Faculty Virginia State Bar Professionalism Course
- Past Co-Chair General District Court Pro Se Litigant Subcommittee
- Past President of the Fairfax Bar Association
- Past Chairman of FBA Legislative Affairs Committee

PRACTICE FOCUS

Douglas Kay is a commercial and business litigation attorney and Department Chair. As Department Chair, he plays an integral role in managing four different practice groups consisting of over seventy-five lawyers located across the entire Offit Kurman platform. Mr. Kay possesses a broad range of practical experience to assist clients in reaching business and litigation resolutions for their most threatening and difficult problems. He has represented a wide variety of clients from individuals to publicly traded corporations and small businesses. His cases run the gamut of complexity from relatively simple breach of contract and employment litigation matters to the most complicated commercial litigation cases involving allegations of contract breach, business conspiracy, tortious interference with prospective economic advantage and misappropriation of trade secrets. Mr. Kay is particularly skilled in diagnosing and solving problems in their earliest stages and has a proven track record of avoiding costly and unnecessary litigation. However, he is calm and experienced when confronted with a matter that must be resolved in a court of law, administrative hearing or through alternative dispute resolution. He strives to reach the best result for his client's problems. Mr. Kay understands the issues that clients face when confronted with employment, executive compensation and business disputes and when partners, stockholders, and investors decide to part ways. Mr. Kay is also an accomplished criminal defense attorney who appreciates the concerns of his clients and has the skill and experience to navigate acceptable plea negotiations when appropriate, and, when plea negotiations fail, he has the ability and trial experience to obtain the best possible result. He regularly represents individuals charged with everything from simple traffic matters to the most serious felony offenses in state and federal courts. Additionally, Mr. Kay vigorously represents the interests of seriously injured people.

Finally, Mr. Kay has a keen interest in assisting companies effectively prepare for and respond to cybersecurity threats and incidents. He is a member of ISACA - a global association that develops best practices for information systems - where he received training in cybersecurity fundamentals. He has lectured about effective incident response design and implementation.

PREVIOUS WORK

While in law school, Mr. Kay was commissioned an officer in the United States Navy. Upon completion of law school, Mr. Kay served on active duty as a Judge Advocate at Naval Air Station Whidbey Island. He then worked as an Assistant Commonwealth's Attorney for Fairfax County. Thereafter, Mr. Kay worked at a large firm focusing in complex civil litigation. He was also a named partner at firm based in Tysons Corner, Virginia where he focused on civil litigation and criminal defense.

POINTS OF DISTINCTION

- Peer selected into the Fellowship of the Litigation Counsel of America, honorary society
- In 2019 selected as AV Preeminent® Top Rated Lawyers.
 - *The AV Preeminent® rating is Martindale-Hubbell's® highest possible designation, and a unique marker of excellence among members of the legal profession. Attorneys who achieve this rating are recognized by their peers for their abilities in and out of court, as well as for demonstrating high standards of ethical behavior.*

EDUCATION

- J.D., California Western School of Law, 1992
- Law Review; Article at 29 Cal. W. Law Rev. 307
- B.A., Virginia Tech, 1989

ADMISSIONS

- Virginia Supreme Court
- District of Columbia Court of Appeals
- U.S. District Court Eastern District of Virginia
- U.S. District Court Western District of Virginia
- U.S. District Court of the District of Columbia
- U.S. Court of Appeals for the Armed Forces
- U.S. Court of Appeals 4th Circuit
- U.S. Supreme Court, 2009

- Past Member of FBA Judicial Screening Committee