



Attorney

RORY KAY

rkay@mcdonaldcarano.com

Phone 702.873.4100 DIRECT 702.257.4515

Areas of Practice

Commercial & Complex Litigation; Employment & Labor Law; Appellate Practice; Emerging Industries & Organizations

Bar Admissions

Nevada
California

Education

J.D., University of San Diego School of Law, 2011

B.A., Economics and Political Science & B.S., Business Administration, University of Nebraska, 2006

Offices

LAS VEGAS
2300 West Sahara Avenue, Suite 1200
Las Vegas, NV 89102
P: 702.873.4100 F: 702.873.9966

RENO
100 West Liberty Street, Tenth Floor
Reno, NV 89501
P: 775.788.2000 F: 775.788.2020

mcdonaldcarano.com

PROFESSIONAL BACKGROUND

Rory Kay has vast experience in all aspects of commercial and complex litigation, with an emphasis on shareholder disputes, employment and labor law, intellectual property, and appellate practice in front of the Nevada Supreme Court. With a demonstrated history of accomplishments in his career, he is able to tackle large cases and the most complex issues, including successfully arguing an attorney's fees case before the Nevada Supreme Court which resulted in a written opinion. Mr. Kay is also a skilled labor and employment litigator who strategically represents clients in matters including wrongful termination, non-competition agreements, breach of executive officer agreements, NLRB alter ego claims, employer workplace manuals with a special focus on social networking and information technology, recording and eavesdropping, anti-nepotism and insider trading.

Mr. Kay is a co-author of Chapter 13 of the *Nevada Appellate Practice Manual* (2016-2017) and author of Chapter 29 of the *Nevada Civil Practice Manual*, both published by the State Bar of Nevada. *Super Lawyers* named Mr. Kay a "Rising Star" in 2017 and *Nevada Business Magazine* named him "Legal Elite" in 2017 as well. He received a B.S. in Business Administration and a B.A. in Economics and Political Science from the University of Nebraska in 2006, and his J. D. from the University of San Diego School of Law in 2011.

REPRESENTATIVE EXPERIENCE

- Represented one of Nevada's largest homebuilders, in a multi-million dollar breach-of-contract dispute against a landowner regarding a master-planned community northeast of Las Vegas. This representation included substantial electronic discovery and issues unique to land development, water rights, environmental protection, and government administration.
- Argued and won in front of the Nevada Supreme Court, including representing the firm in an attorney's charging lien dispute that resulted in an opinion on a matter of first impression. After winning the case after oral argument, Mr. Kay drafted a motion for publication on this novel issue because of its importance to Nevada bar practitioners. Despite rarely granting these types of motions, the Nevada Supreme Court granted the motion and issued a citable opinion as *McDonald Carano Wilson, LLP v. Bourassa Law Group*, 131 Nev. Adv. Op. 90 (Dec. 3, 2015).

(continued)

(continued)

- Represents a collection of shareholders, including an Academy Award winning producer and a prominent collector of Asian art, in a shareholder oppression and receivership action in the Eighth Judicial District Court of Nevada. In this lawsuit, Mr. Kay has helped the shareholders obtain one of the largest judgments in Nevada history in a shareholder action. Additionally, Mr. Kay's clients obtained an international receivership to protect their investments and enforce their rights to financial information and proper corporate governance. The award granting receivership because of corporate mismanagement is one of the first of its kind in Nevada.
- Represented numerous clients in Securities and Exchange Commission (SEC) investigations, including responding to subpoenas and defending clients during depositions.
- Prepared and filed trademark applications for multiple clients, including a company that designs and manages custom office automation solutions.



AWARDS AND RECOGNITION

Best Lawyers – Appellate Practice

Super Lawyers – Business Litigation, Employment & Labor Law

Super Lawyers – Mountain States “Rising Star”

Nevada Business Magazine – “Legal Elite”



COMMUNITY ENGAGEMENT

Pro Bono work for Legal Aid Center's Children's Attorneys Project (CAP)

Pro Bono work for members of the military through the state attorney general's Office of Military Legal Assistance

Boy Scouts Volunteer

ASUN Racial Affairs Advisory Council

Offices

LAS VEGAS

2300 West Sahara Avenue, Suite 1200

Las Vegas, NV 89102

P: 702.873.4100 F: 702.873.9966

RENO

100 West Liberty Street, Tenth Floor

Reno, NV 89501

P: 775.788.2000 F: 775.788.2020

mcdonaldcarano.com