



## Virginia Office

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### Related Practice Areas

- Appellate
- Commercial Litigation
- Constitutional Law
- Election Law
- Foreign Agents Registration Act (FARA)
- Government, Congressional and Corporate Investigations
- Government Ethics Compliance
- Lobbying and Grassroots Advocacy
- Non-Profit and Tax-Exempt Organizations
- Political Law

## Ken Daines Senior Associate

Ken Daines is a senior associate in Holtzman Vogel's litigation and compliance practices. Ken's practice focuses on trial and appellate litigation in federal and state courts, including matters presenting constitutional law, redistricting, and election-related issues. Ken has authored and co-authored multiple briefs on behalf of parties and *amici* at the Supreme Court of the United States and numerous federal district and appeals courts.

Before joining the firm, Ken clerked for Judge Ryan D. Nelson of the U.S. Court of Appeals for the Ninth Circuit and Judge Dee V. Benson of the U.S. District Court for the District of Utah. He also practiced election law and government ethics at a large law firm in Washington, D.C.

### Education

- Stanford Law School, J.D.
  - Pro Bono Distinction
  - Student Attorney, Stanford Law School's Religious Liberty Clinic
  - Executive Vice President, Stanford Law chapter of the Federalist Society
- Brigham Young University, B.A., *magna cum laude*, International Relations and Chinese
  - Valedictorian, David M. Kennedy Center for International Studies
  - Campaign Finance Research Assistant, Center for the Study of Elections and Democracy

### Bar & Court Admissions

- District of Columbia Bar
- Maryland Bar
- Supreme Court of the United States
- U.S. Court of Appeals, District of Columbia Circuit
- U.S. Court of Appeals, Ninth Circuit
- U.S. District Court, District of Columbia

### Clerkship/Government Experience

- Law Clerk, Judge Ryan D. Nelson, U.S. Court of Appeals for the Ninth Circuit
- Law Clerk, Judge Dee V. Benson, U.S. District Court for the District of Utah
- Intern, U.S. Department of State
- Legislative Intern, U.S. Representative Howard "Buck" McKeon

### Representative Matters

- Represented client on appeal before the U.S. Court of Appeals for the Eighth Circuit challenging the district court's ruling on federal

preemption issues.

- Represented client in successfully obtaining summary judgment before the U.S. District Court for the District of Columbia, holding that the Court lacked jurisdiction to review the FEC's dismissal of a complaint based on prosecutorial discretion, and on appeal before the U.S. Court of Appeals for the District of Columbia Circuit.
- Represented the Florida Secretary of State in significant election-related challenges raising First Amendment and voting rights issues, including taking depositions, drafting summary judgment and post-trial briefing, preparing witnesses, and conducting direct examination at trial in federal district court.
- Represented clients in Freedom of Information Act (FOIA) litigation matters before federal district courts, and obtained court order that the government produce documents previously withheld under the deliberative process privilege.
- Represented the Louisiana Attorney General in litigation challenging the State's congressional and state legislative maps, and successfully obtained a stay of proceedings and certiorari before judgment in the Supreme Court of the United States.
- Represented client in federal district court action involving copyright infringement and common law tort claims.
- Authored amicus brief in the Supreme Court of the United States on behalf of prominent First Amendment legal scholars in defense of a business owner's free speech rights.
- Co-authored amicus brief in the Supreme Court of the United States for non-profit organization arguing that a state's denial of public funding to private religious schools violates the First Amendment.
- Represented clients in civil litigation matters involving insurance contract disputes, including summary judgment proceedings raising issues of misrepresentation, reformation, waiver, and estoppel.
- Advised clients on compliance with the Federal Election Campaign Act (FECA) and other campaign finance issues.

## **News & Insights**

- Holtzman Vogel Obtains Victory for New Republican PAC on Appeal Before D.C. Circuit Affirming Non-reviewability of FEC Dismissal
- Holtzman Vogel Celebrates Growth and Elevates Three Attorneys
- Felon Re-Enfranchisement Requirements Upheld by North Carolina Supreme Court
- North Carolina Supreme Court Invalidates Redistricting Map and Voter ID Law Enacted by Legislature

## **Community Involvement**

- Federalist Society, Member
- American Association of Political Consultants, Member
- J. Reuben Clark Law Society, Member