

Michael Gay

Partner

mgay@foley.com

Orlando

407.244.3253



Michael Gay is a litigation partner in the Orlando office of Foley & Lardner LLP. Michael handles a variety of commercial disputes, including restrictive covenant litigation, patent and trademark litigation, environmental litigation, health care litigation and contract disputes. Michael serves on the firm's Management Committee. He is a member of the firm's Commercial Litigation and Intellectual Property Litigation Practices. Michael is former managing partner for the Orlando office. Michael was previously the national department chair for Litigation.

Prior to joining Foley, Michael practiced in Houston, Texas, as a commercial trial lawyer.

In his 34-year legal career, Mike Gay has tried dozens of cases, both jury and bench, in federal and state courts. Mike has also arbitrated a number of matters and handled several contested injunction hearings. While most of his career has been spent in Florida, he started practicing law in Houston in 1990. It was there that he was fortunate enough to learn from some extremely talented trial lawyers and first-chaired his first jury trial. In 1995, he relocated to Orlando and began practicing at Foley & Lardner LLP where he continued his practice as a trial lawyer. While he still lists Business Litigation & Dispute Resolution as his primary Practice Group, given his significant trial experience — in addition to traditional complex commercial litigation — he has handled trade secret cases, restrictive covenant cases, trusts and estate litigation, defamation cases, and intellectual property cases. One of his most notable cases was representing the trustees of the Robert Rauschenberg Revocable Trust. The case involved the trustee fees owed to the trustees for managing the trust assets, which included a significant collection of Mr. Rauschenberg's artwork valued at over \$2 billion. It was reported at the time that the trustees' fees awarded to Foley's clients were the largest trustees' fees awarded in the country.

Mike believes that every case involves two competing versions of the same story. Every jury and every judge is looking for a lawyer who can guide them through the facts to the correct and just outcome. It is the trial

lawyer's job to become the trusted story-teller, doing so by not only coming up with the most compelling theme for the trial but by reinforcing that theme in voir dire, with the opening statement, in every direct and cross-examination and with a closing argument that hopefully, by this point in the trial, the jury expects to hear.

Awards and Recognition

- Selected by his peers for inclusion in *The Best Lawyers in America*® in the field of Commercial Litigation (since 2013)
- Selected for inclusion to the Florida *Super Lawyers*® list (2011 – 2013 and 2016 – 2017)
- Peer Review Rated as AV Preeminent®, the highest performance rating in Martindale-Hubbell® Peer Review Ratings™
- Recognized multiple times in the past by his peers as one of Florida's Legal Elite™ in *Florida Trend* magazine

Sectors

- Hospitality & Leisure
- Manufacturing
- Racial Justice & Equity

Practice Areas

- Commercial Litigation
- IP Litigation
- Litigation
- Patent Litigation
- Trade Secret Noncompete Litigation
- Trademark, Copyright & Advertising Litigation

Education

- Duke University (J.D., with honors, 1990)
- Tulane University (B.S., 1987)
 - Electrical Engineering

Admissions

- Florida
- Texas