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Practice Areas:

Class Action
Complex Litigation
Construction Law
Environmental
Insurance Coverage
Municipal

Education:

University of San
Francisco School of
Law (J.D., 1991,
magna cum laude;
member, University of
San Francisco Law
Review and McAuliffe
Law Honor Society)

University of
California, Davis (B.S.,
1984)

M. Kay Martin

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Kay Martin is a litigation partner in FLK's San Francisco office. Her practice focuses on complex litigation, including environmental cost recovery actions, policyholder-side insurance coverage disputes and consumer class actions. Ms. Martin joined FLK in 1991. During law school, Ms. Martin served as an extern for Justice Joyce L. Kennard of the California Supreme Court.

Representative Matters

- Representing City of Lodi in multiple actions related to groundwater contamination, including an insurance coverage suit against the City's insurers, a cost recovery suit against PRPs, a legal malpractice action against Lodi's former outside counsel and a federal court action against a Wall Street investment bank arising from the investment bank's financing of the former outside counsel's failed litigation strategy.
- Representing property owners throughout California in environmental cleanup efforts.
- Represented the City of Mountain View in obtaining a favorable settlement after mediation in a breach of contract case against the city's exclusive cable provider.
- Defended Enterprise Rent-A-Car Company in consolidated consumer class action suits in Massachusetts state court; obtained reversal of the trial court's summary judgment in favor of plaintiffs from the Supreme Judicial Court in a unanimous decision; on remand, won motions for summary judgment under the state consumer protection act and defeated plaintiffs' appeal to the Supreme Judicial Court.

- Defended Enterprise Rent-A-Car Company in a consumer class action in New York state court; won summary judgment and denial of class certification and defeated plaintiffs' appeal.
- Represented owner of 400+ unit apartment complex in construction litigation; obtained favorable settlements from subcontractors.
- Represented Kaufman & Broad (now KB Home) in a \$50 million lawsuit brought by a regional subcontractor and supplier of lumber; obtained judgment on all claims and recovered over \$1 million against the subcontractor's surety.

Memberships

- Member, American Bar Association, Section of Environment, Energy and Resources
- Member, State Bar of California, Environmental Law Section
- Member, National Asian Pacific American Bar Association
- Member, Asian American Bar Association of the Greater Bay Area
- Member, University of San Francisco Women Lawyers Committee