



## Kevin K. Douglass

Shareholder

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### Area of Emphasis

Kevin Douglass is a shareholder in the Firm's Litigation, Energy and Natural Resources, and Emerging Technologies groups. Mr. Douglass currently serves as chair of the Firm's Litigation Group. He is a complex commercial litigator with significant trial experience in a variety of forums including federal, state and bankruptcy courts and private arbitrations. In addition, he is a certified mediator and has served as an arbitrator in commercial and oil and gas disputes.

### Natural Resources

Mr. Douglass represents natural gas and coal clients in litigation and administrative proceedings involving a wide variety of matters including environmental, real estate, corporate governance, subsidence, construction, and land use. For many years, he served as editor of the Firm's *Babst Calland Report*, an annual publication covering issues of interest to the energy industry. Mr. Douglass is an active member and past president of the Energy & Mineral Law Foundation (EMLF) and serves on its Board of Trustees. In 2018, he was the recipient of the EMLF's John L. McClaugherty Award for extraordinary service to the legal profession and the EMLF.

### Business Counseling and Litigation

Mr. Douglass provides counseling and litigation services to business owners, officers, managers and directors. On behalf of companies, he manages confidential internal investigations concerning the conduct of owners, officers and employees. Mr. Douglass also regularly advises majority, minority and 50% business owners with respect to their fiduciary duties and contractual rights. He understands the importance of mastering not only the legal issues, but also a company's financial position, operations and management structure. Mr. Douglass often negotiates owner buyouts and works to develop creative solutions to resolve disagreements. He has successfully litigated disputes between business owners through trial.

### Representative Commercial Litigation Matters

- Advantageous settlement after two-week trial defending majority business owners against claims of alleged mismanagement and fraud; buyout of minority owner achieved
- Dismissal of \$79 million CERCLA cost recovery action that was subsequently affirmed by the Seventh Circuit Court of Appeals following oral argument
- Successful defense of a majority shareholder in a two-week jury trial involving the buyout of a minority shareholder
- Advantageous settlement after a two-week trial defending public company against a \$54 million destruction of business claim
- Defense of a billion-dollar entity's chief financial officer in multiple cases, including class actions
- \$3.3 million judgment, plus attorneys' fees, on behalf of a corporate officer and former business owner following an eight-day trial against his former employer and a successor company
- Punitive damage award following a jury trial involving trade secret violations
- Dismissal of Environmental Hearing Board appeals alleging mine subsidence damage following multi-day evidentiary hearings involving multiple subsidence experts
- Emergency court hearing resulting in successful appointment of a custodian to operate deadlocked business leading to successful buyout of a 50% owner
- Appointment of a corporate custodian after a protracted multi-day hearing exposing fraudulent activities

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## Background

Mr. Douglass graduated *magna cum laude* from Mount Union College in 1983 with a B.A. in History. He earned his J.D. at Duquesne University School of Law in 1986 where he was a member of the *Duquesne Law Review*.

## Memberships and Affiliations

Mr. Douglass has been listed in *The Best Lawyers in America*® by BL Rankings in the Natural Resources Law Section since 2013 and was named the *Best Lawyers*® 2022 Natural Resources Law “Lawyer of the Year” in Pittsburgh, Pennsylvania. He has been selected numerous times to the *Pennsylvania Super Lawyers* list for Business Litigation (Thomson Reuters), most recently in 2025.

Mr. Douglass is admitted to practice in Pennsylvania and West Virginia, as well as before the United States District Court for the Western District of Pennsylvania and the Court of Appeals for the Third Circuit. He has also been admitted *pro hac vice* in numerous state and federal courts.

Mr. Douglass is a member of the Allegheny County, Pennsylvania and American Bar associations. He has served on Allegheny County’s Judiciary Committee and is a past chair and a current member of the Court Rules Committee. Mr. Douglass also has been appointed to serve on *ad hoc* committees responsible for extensive changes to the County’s local rules and jury selection system.

## Publications/Presentations

Presenter, “Has a Company Leader Misbehaved? Ethical Internal Investigations of Key Company Personnel,” Association of Corporate Counsel, Western Pennsylvania Chapter, CLE Bootcamp, April 24, 2025.

Presenter, “Has a Company Leader Misbehaved? Internal Investigations of Key Company Personnel,” 2024 EMLF Fall Symposium, Lexington, Ky., October 17, 2024.

Co-Author, “Best Practice for Conducting an Effective Internal Company Investigation,” *TEQ Hub*, November 14, 2024, *PA Business Central*, September 27, 2024 and *Pittsburgh Business Times*’ Business Insights, August 2, 2024.

Author, “MindShare: Resolving Conflict Among Tech Business Owners,” *TEQ magazine*, September 15, 2023.

Guest, “Conflict Resolution,” Pittsburgh Technology Council’s *Emerging Tech Law Series Podcast*, April 11, 2023.

Burroughs, Adam (*interviewed by author*), “Resolving Conflict Among Business Owners,” *Smart Business*, April 2023.

Ostrowski, Sue (*interviewed by author*), “Company Theft: How to Prevent Employees from Stealing — and Detect Theft if They Are,” *Smart Business*, September 2021.

Author, “Has COVID-19 Escalated Disagreements Between Business Owners?” Babst Calland *Perspectives for Business Owners*, May 4, 2021.

Gest, Jayne (*interviewed by author*), “Face it Head On: How to Resolve Conflict Among Business Owners,” *Smart Business*, September 2019.

Author, “Work it Out—Conflict Resolution for Business Owners,” *The Legal Intelligencer*, January 11, 2019.

Presenter, “The Rise of NGO Litigation in Response to the Trump Presidency,” EMLF Conference, Lexington, Ky., October 2017.

*\*View online profile for full list of Publications/Presentations.*