



Kai  
Smith  
PARTNER

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PRACTICE AREAS

Litigation  
Municipal Law  
Nonprofits  
Public Policy and Political  
Matters

Kai Smith is a litigation partner at Pacifica Law Group. He represents clients on a broad range of issues, focusing on public entity representation, constitutional law, public policy and political law, and complex commercial disputes. Clients trust Kai with their complex legal issues, and he regularly represents clients in high-profile matters.

In addition to his litigation practice, Kai also provides general counsel and strategic advice to help clients address important and sensitive issues, particularly in the areas of municipal law, legislation, statutory and regulatory compliance, business strategy, and public records.

Through his work, Kai has represented a wide array of businesses, state and local governments, public officials, political organizations, and advocacy nonprofits. Representative matters include:

- **Legislation and ballot measures:** Kai has drafted and successfully defended a broad range of bills and ballot measures, including ones focused on funding forest health and wildfire prevention, improving standards for healthcare workers, and defending Washington’s capital gains tax. He has litigated over a dozen ballot title appeals.
- **COVID-19 litigation:** Kai has successfully defended Washington Governor Jay Inslee, the City of Seattle, the Port of Seattle, and other state and local officials and government entities in several state and federal lawsuits challenging COVID-19 emergency orders, including successfully arguing against preliminary injunctive relief.
- **Gun violence prevention:** Kai has successfully defended Initiative 1639, a Washington ballot measure regulating assault rifles, against federal and state constitutional challenges. He also represents the Washington Alliance for Gun Responsibility and Oregon Alliance for Gun Safety in defending state laws restricting large-capacity magazines from Second Amendment and other challenges.
- **Commercial litigation:** Kai has represented many companies based or operating in the Pacific Northwest—including REI, Burlington Northern, and others—in significant litigation involving contract disputes, trespass

claims, antitrust claims, and other issues.

- Insurance coverage: Kai advises REI, Costco, Masco Corporation, and other insurance policyholders on coverage issues and represents those clients in disputes and litigation with carriers. He has assisted clients in recovering millions of dollars from insurance companies.
- First Amendment and defamation: Kai has represented individuals and public clients, including the Washington State Bar Association and University of Washington, in actions raising defamation and First Amendment claims, and counsels clients on the contours and boundaries of applicable speech-related law.
- General counseling and strategic advice: Kai regularly provides general counseling to his clients to help them anticipate and prevent legal challenges, and to effectively and efficiently resolve disputes or other issues that arise.

Before joining Pacifica, Kai was a litigator at an international law firm based in Washington, D.C., where he represented clients in high-stakes matters, including complex antitrust matters and federal enforcement actions. Notable experience includes successfully representing Expedia in obtaining clearance from the U.S. Department of Justice in Expedia's \$1.3 billion acquisition of Orbitz Worldwide.

Previously, Kai served as a law clerk for the Honorable Sidney R. Thomas of the U.S. Court of Appeals for the Ninth Circuit.

Kai is committed to public service and has provided free legal representation throughout his career, including counseling victims of domestic violence and representing a family from El Salvador in asylum proceedings in federal immigration court. He is also a Board Member of the King County Municipal League Foundation.

#### Bar Admissions:

- Washington
- Montana
- District of Columbia
- U.S. District Court for the Eastern District of Washington
- U.S. District Court for the Western District of Washington
- U.S. Court of Appeals for the Ninth Circuit

#### Education:

- Seattle University, B.A., *magna cum laude*, History and Political Science (Student Body President; University Honors Program; Alpha Sigma Nu Honor Society; Naef Scholar)
- Stanford Law School, J.D. (*Stanford Law Review*, Senior Editor; *Stanford Law & Policy Review*, Legislative Notes Editor; Pro Bono Distinction)

#### Honors:

- Selected for inclusion in the "Ones to Watch" list in *The Best Lawyers in America* in the field of Commercial Litigation, 2022-2023
- Selected for *Washington Rising Stars*, 2022
- Harry S. Truman Scholar
- Best Oral Advocate – Stanford Criminal Prosecution Clinic

Community Involvement:

- Pro Bono Committee – Federal Bar Association of the Western District of Washington
- Board Member – King County Municipal League Foundation
- King County Bar Association