

KEVIN T. BAINE, PARTNER

Kevin Baine practices primarily in the areas of First Amendment, media and general civil litigation. He has successfully defended more than 100 libel cases and has litigated a variety of cases raising issues of freedom of speech, freedom of the press, and freedom of religion. In his three decades at the firm, he has also handled a broad range of civil litigation at the trial and appellate levels - including tort, contract, copyright, trademark, employment, and other commercial disputes.

Mr. Baine has been lead counsel in litigation for many of the country's major media organizations. Some examples include defense of a series of multi-district libel suits arising out of news reports concerning "Operation Tailwind" in Laos in 1970; pursuit of copyright infringement claims on behalf of major record labels against Napster; defense against claims that movie depictions of violence caused the school shootings in Paducah, Kentucky and Columbine, Colorado; defense of a television news organization's use of hidden cameras in a report on racial profiling by the police; and representation of the owner of the Salt Lake City Tribune in a dispute over the management and future ownership of the newspaper.

Mr. Baine has represented major corporations, universities, religious organizations and government agencies in a variety of civil cases. For 20 years he defended a series of Establishment Clause challenges to the provision of Title I remedial instruction to children in church-related schools throughout the country. That work culminated in the U.S. Supreme Court's decision in *Agostini v. Felton*, 521 U.S. 203 (1997), upholding the provision of Title I services on the premises of church-related schools and overruling (for the first time in the Court's history) a prior decision in the same case (*Aguilar v. Felton*, 473 U.S. 400 (1985)).

Mr. Baine has argued several other cases in the Supreme Court and has filed amicus curiae briefs in the Supreme Court in a number of First Amendment cases. He has appeared in state and federal courts throughout the country at the trial and appellate levels.

Mr. Baine is a member of the Board of Overseers of the University of Pennsylvania Law School, Chairman of the Board of the St. Albans School of Public Service, and a member of the Board of



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PRACTICE AREAS

- Appellate
- First Amendment and Media
- General Civil Litigation
- Intellectual Property

EDUCATION AND HONORS

- University of Pennsylvania Law School, J.D., *magna cum laude*, 1974
- Princeton University, Woodrow Wilson School of Public and International Affairs, A.B. *cum laude*, 1971
- Recognized as one of *The Best Lawyers in America*® for over 10 years
- "AV-Rated" by *Martindale-Hubbell*®

BAR ADMISSIONS

- District of Columbia, New York, and Maryland
- United States Supreme Court
- United States Courts of Appeals for the District of Columbia, Second, Third, Fourth, Fifth, Sixth, Eighth, Ninth, and Eleventh Circuits
- United States District Courts for the District of Columbia, Southern District of New York, District of Maryland, and Eastern District of Michigan

Directors of the Cristo Rey Network, a national network of urban secondary schools serving low-income families. He has served as Co-Chair of the First Amendment and Media Litigation Committee and Co-Chair of the Resource Development Committee of the ABA's Section of Litigation. He has also been a member of the Board of Governors of St. Albans School and Chairman of the Board of Beauvoir School.

GOVERNMENT SERVICE

- Law Clerk, Associate Justice Thurgood Marshall, United States Supreme Court, 1975-1976
- Law Clerk, Judge Edward Weinfeld, United States District Court for the Southern District of New York, 1974-1975