



# Kim Nguyen Gray

Senior Counsel



Kim practices in the firm's Litigation, Creditor's Rights, Bankruptcy/Workout, and Real Estate practice groups. She has more than 15 years of experience handling complex litigation and compliance matters. As a former in-house counsel for a global company, Kim is uniquely positioned to offer comprehensive general counsel advice to businesses of all sizes.

Kim speaks fluent Vietnamese.

## Contact Information

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## Education

**Florida State University College of Law**, J.D., cum laude

**University of Central Florida**, B.S., Business Administration, Concentration in Accounting, summa cum laude

## Overview

Kim is a seasoned litigation and compliance attorney with a proven track record of effectively resolving disputes and navigating compliance issues for her clients. She is a business-savvy attorney with effective oral, written, and interpersonal skills; an ability to understand business concepts and financials; and a passion for implementation of process-improvement concepts to increase efficiencies and minimize costs.

Prior to joining BMD, Kim held the position of Vice President & Senior Counsel in the Litigation & Compliance Group at a highly regulated publicly traded company. In her role, Kim managed global litigation, regulatory investigations, and compliance matters. She led the defense in various arbitration and litigation cases, including disputes related to class action claims, alleged violation of consumer protection laws, breach of contract, construction issues, and timeshare disputes. Kim also supported the company's financial services, mortgage bank, and collection business, as well as the company's escalated customer complaint processes.

Prior to her role as in-house counsel, Kim was a senior associate at an Orlando firm where her practice focused on creditor's rights, bankruptcy, foreclosures, loan workouts, and commercial litigation. She also handled commercial real estate and leasing transactions, title review, and family law disputes.

Kim is a founding member and former President of the Greater Orlando Asian American Bar Association. She has also served as a past President of the National Conference of Vietnamese American Attorneys.

Outside of her legal career, Kim enjoys spending quality time with her family, traveling, cooking, skiing, watching college football, and has even completed a marathon.

## Representative Matters

### ***Litigation***

- Led a global company's defense in numerous arbitration and litigation proceedings related to alleged violation of various consumer protection laws, including the Fair Debt Collection Practices Act and Telephone Consumer Protection Act.
- Lead counsel on a team that developed and operationalized a global company's alternative dispute resolution program for associates, customers, and vendors to minimize the company's risks and litigation costs.
- Effectively collaborated with a company's business representatives to gather key documents and formulate strategy to defeat class certification.
- Significant experience managing document retention and records and technology support for a global company's e-discovery and litigation hold processes.

### ***Creditor's Rights and Bankruptcy/Workout***

- During the Housing Crisis, Kim had the unique opportunity to gain extensive experience representing lenders, including national banks and individual lenders, in numerous loan workouts negotiations, foreclosures actions, and related bankruptcy proceedings throughout Florida.
- Successfully negotiated a recovery of the original principal amount on a multimillion-dollar loan for a national bank in a complex commercial foreclosure action where the bank's mortgage lien was allegedly inferior to a special taxing district lien.
- Assisted investors in analyzing foreclosure cases and related title issues to ensure that foreclosed property will have marketable title and to determine appropriate strategy for assignment of the governing loan documents or foreclosure judgment to minimize transfer taxes.

### ***Compliance***

- Spearheaded initiatives to support a global company's compliance program.
- Supported a company's global compliance with applicable global laws and related training, including consumer protection, privacy, bankruptcy, debt collection, COVID-19, EU General Data Protection Regulation, Foreign Corrupt Practices Act, Americans with Disabilities Act, Telephone Consumer Protection Act, Fair Debt Collection Practices Act, Anti Money Laundering, and monitoring U.S. Office of Foreign Assets Control's Specially Designated National List, European Union's Sanctions List and the United Nations' List.

### ***Timeshare***

- Navigated and resolved numerous clouded title issues globally to support reacquisition by developers and associations of timeshare interests through judicial and non-judicial processes.
- Managed a company's responses to escalated customer complaints and regulatory agencies related to timeshare disputes.
- Successfully negotiated settlement with numerous timeshare owners reducing a company's risk and litigation costs.

## Courts & Bar Associations

- Florida Bar

## Professional Honors & Awards

- Orlando Business Journal "40 Under 40" Award Recipient, (2020).
- "Florida Rising Star" by Florida Super Lawyers, (2013, 2014).

## Professional & Civic Affiliations

- Greater Orlando Asian American Bar Association - Current Member, President, (2012-2013); Board Member, (2009-2014); Founding Member, (2009).
- National Conference of Vietnamese American Attorneys – Current Member; President, (2015-2016); Board Member, (2011-2017).
- National Asian Pacific American Bar Association - Current Member
- 100 Women Strong Giving Circle, Central Florida Foundation - Outreach Committee Member, (2021-Present).
- Elevate Orlando – Current Donor, Founding Member of Young Professional Council, (2014).

## Presentations & Publications

- "Pathways to In-House Counsel," *Coalition of Florida APIA Affiliates*, Panelist, (August 2021).
- "Breaking the Bamboo Ceiling – In-House Edition," *Greater Orlando Asian American Bar Association*, Panelist, (November 2020).
- "That Wizarding Wand Can Make This All Go Away, Right?" *Discussion on Defending Customers' Claims in the Timeshare Industry, DRI Retail and Hospitality Seminar*, Panelist, (May 2019).
- "The Practice of International Law Throughout Florida in the Trump Era," *The Florida Bar International Law Section, iLaw2018, The ILS Global Forum on International Law*, Panelist, (February 2018).
- "The Spoils of War: Post Litigation Enforcement, Winning the Peace." *Association of Corporate Counsel Central Florida Chapter*, Panelist, (November 2015).
- "Autopsy of a Distressed Real Estate Loan." *National Conference of Vietnamese American Attorneys*, Panelist, (April 2011).

## Practice Areas

Litigation

E-Discovery

Creditor's Rights

Bankruptcy / Workout

Business & Corporate Law

Real Estate

Banking & Finance Law

Contact Kim Today!