



## HAYS C. DOAN

### Associate

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**Hays Doan helps clients gain leverage in complex commercial and class action litigation. He has developed valuable experience handling cases involving contractual issues for both plaintiffs and defendants, as well as product liability and medical malpractice defense. Hays helps clients strategize effectively to navigate challenging cases through complex motions practice and other written arguments.**

### EDUCATION

William H. Bowen School of Law, J.D., 2016, *magna cum laude*, UALR Law Review, Executive Editor

Millsaps College, 2012, Psychology, *cum laude*

### GOVERNMENT SERVICE

Law Clerk to The Honorable Bobby E. Shepherd of the U.S. Court of Appeals for the Eighth Circuit

### ADMISSIONS

Arkansas  
Colorado

### HIGHLIGHTS

- Won favorable settlement for a technology company against a supplier that failed to fulfill or refund a \$1.5 million order of personal protection equipment (PPE) amid the COVID-19 pandemic.
- Won a groundbreaking \$1.25B remote trial for an electric co-op against its generation and transmission provider.
- Won a motion to dismiss in a consumer class action in New Jersey Federal Court.
- Won a partial motion to dismiss, as well as a substantial attorney fee award, for a healthcare provider in a medical malpractice case.
- Advised a major shipping company on potential sources of civil liability in a matter involving an alleged kickback scheme .
- Represented a New Mexico hospital in 12 medical malpractice cases involving allegations of criminal conduct against a psychiatrist.
- Successfully represented apartment owner Aimco in nationwide litigation alleging intentional torts against Airbnb, resulting in favorable settlement after jury selection.

### INDUSTRIES

- Consumer Products & Services
- Energy
- Real Estate
- Healthcare

### PRACTICE AREAS

- Commercial Litigation
- Class Actions
- Appellate
- Product Liability
- Healthcare Professional Liability
- COVID-19

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## BIOGRAPHY

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Hays has also gained experience handling various discovery processes, including leading document review teams and drafting and arguing in favor of and against motions to compel. Prior to joining WTO, Hays clerked in the Eighth Circuit, where he handled multiple appeals involving class actions and general commercial litigation issues.

## CASES

- Won favorable settlement for a technology company against a supplier that failed to fulfill or refund a \$1.5 million order of personal protection equipment (PPE) amid the COVID-19 pandemic.
- *United Power, Inc. et al. v. Tri-State Generation & Transmission Ass'n. Inc.*, No. 19F-0521E (Colo. Public Utilities Commission) - Won a \$1.25 billion exit fee dispute for an electric distributor against its generation and transmission provider. The groundbreaking decision followed one of the first remote trials in the nation in the COVID-19 era.
- Won a motion to dismiss in a consumer class action in New Jersey Federal Court.
- Won a partial motion to dismiss, as well as a substantial attorney fee award, for a healthcare provider in a medical malpractice case.
- Advised a major shipping company on potential sources of civil liability in a matter involving an alleged kickback scheme .
- Represented a New Mexico hospital in 12 medical malpractice cases involving allegations of criminal conduct against a psychiatrist.
- Successfully represented Aimco, one of the largest apartment owners in the U.S., in nationwide litigation alleging intentional torts against Airbnb. After jury selection in the first trial, Airbnb settled all litigation on terms allowing Aimco to control short-term rental activity consistent with its contract and property rights.

## BAR & COURT ADMISSIONS

Arkansas

Colorado

U.S. District Court, D. Colorado

U.S. District Court, D. North Dakota

# HAYS C. DOAN

U.S. District Court, E.D. Wisconsin  
U.S. District Court, W.D. Oklahoma

## LEGAL MEMBERSHIPS, ACTIVITIES & HONORS

The Best Lawyers in America

Ones to Watch - Appellate Practice, 2022, 2023

Ones to Watch - Commercial Litigation, 2022, 2023

Ones to Watch - Mass Tort Litigation / Class Actions - Defendants, 2021-2023

Colorado Rising Stars

Business Litigation, 2022

## ARTICLES & PRESENTATIONS

- *A Call for Clarity Resulting from Daimler AG v. Bauman: Jurisdictional Veil Piercing in the Context of Parent and Subsidiary Corporations and the Irrelevance of Fraud or Injustice*, 38 U. ARK. LITTLE ROCK L. REV. 245, (2016).

## PERSONAL INTERESTS

Fly fishing, hiking, and golfing