

ANN ARBOR

101 North Main St.
7th Floor
Ann Arbor, Michigan 48104
T: +1.734.668.7696
O: +1.734.663.2445
F: +1.734.747.7147

scott@millercanfield.com

Services

Litigation and Dispute Resolution

Antitrust and Trade Regulation

Arbitration and Alternative
Dispute Resolution

Automotive Litigation

Class and Collective Actions

Commercial and Corporate
Litigation

Litigation Support Services

Product Liability and Torts

Professional Liability and
Malpractice Litigation

Intellectual Property

Intellectual Property Litigation

Trade Secrets and Non-
Competes

Trademarks and Brands

Industries

Automotive

Construction

Energy

Financial Institutions

Government and Public Sector

Health Care

Higher Education

K-12 Education

Manufacturing

Education

Wayne State University Law
School, J.D.

University of Michigan, B.A.



Kimberly L. Scott

Principal

Kimberly Scott is a specialty litigator whose practice focuses on complex commercial litigation matters and "bet-the-company" litigation that present unique challenges, such as novel issues of procedure or law. Kim counsels clients at all phases of the litigation and helps develop strategy for complicated matters, covering multiple practice areas with an emphasis on intellectual property, antitrust, and commercial torts and business disputes. She has experience working on class action matters and multi-district litigation, and has litigated in courts across the country.

Kim specializes in cases that involve multiple and often nuanced theories of law. Her practice is not limited to one specific industry, but instead focuses on complex litigation strategy and coordination of parties in suits of all sizes. As the leader of the firm's e-Discovery team, she is known for successfully managing nationwide litigation teams and taking the lead on litigation and trial strategy. Kim is familiar with every phase of complex litigation and has represented both plaintiffs and defendants in cases ranging in value to 10 figures, including the largest judgment in a commercial dispute in Michigan that resulted in a \$300 million jury verdict and which settled for over \$500 million on the eve of trial in federal court on the antitrust claims.

Kim has been recognized by *Best Lawyers in America* for Intellectual Property Litigation and was a member of *Michigan Lawyers Weekly's* Leaders in the Law Class of 2018. Kim is also very active in local and national professional associations and is admitted to practice in front of the United States Supreme Court.

Kimberly L. Scott

Bar Admissions

Michigan

Court Admissions

U.S. Supreme Court

U.S. Court of Appeals

- Sixth Circuit

U.S. District Court

- Eastern District of Michigan
- Western District of Michigan

Tribal Court

- Sault Ste. Marie Chippewa Tribal Court
- Grand Traverse Band of Ottawa and Chippewa Indians

Representative Matters

Kim has represented a broad range of corporations, partnerships, financial institutions, non-profit organizations, mid-size businesses, international businesses, law firms, governmental entities, municipalities, trade associations and individuals in antitrust matters, intellectual property disputes, unfair competition matters, class action and multi-district plaintiff and defense matters, and commercial contract disputes in a wide range of industries.

Media and Marketing Services Company Antitrust Action

Trial counsel for Valassis Communications, Inc. in its legal battle with News America, Inc., a part of Rupert Murdoch's News Corporation. Obtained \$300 million jury verdict after an eight-week trial in July 2009, the eighth-largest jury verdict in the United States in 2009. As part of a comprehensive settlement--reached three days before the parties were scheduled to begin a second jury trial in Federal Court in Detroit--News America agreed to pay Valassis \$500 million and enter into a 10-year shared mail distribution agreement with Valassis. *Valassis Communications, Inc. v News America Inc.*, Case No. 07-706645 (Wayne County Circuit Court 2007); *Valassis Communications, Inc. v News America Inc.*, Case No. 2:06-cv-10240 (Eastern District of Michigan 2006); *Valassis Communications, Inc. v News America Inc.*, Case No. BC367743, (Los Angeles County Superior Court, California 2007).

Film Production Company Fraud Claims

Fraud claims brought against JT LeRoy aka Laura Albert, fiction writer, resulting in a trial verdict and punitive damages over \$300,000 for the client, a film production company that purchased the rights to Ms. Albert's novel "Sarah." *Antidote Int'l Films, Inc. v. Bloomsbury Publishing*, Case No. 06 Civ.6114 (CJR) (S.D.N.Y. 2007); *Antidote Int'l Films, Inc. v. Underdogs, Inc., Laura Albert a/k/a JT Leory*, Defendants-Appellants, Case No. 07-4451-cv (2nd Cir. 2007).

Antitrust Class Action Litigation

Represented putative class of cranberry growers suing an agricultural cooperative for unfair trade practices and fixing the prices of cranberry concentrate in violation of antitrust and state laws.

Fair Credit Reporting Act Class Action Litigation

Defended against putative class claims brought by consumers under the Fair Credit Reporting Act. The case settled before class certification.

NCAA Antitrust Class Action Litigation

Defended the NCAA against putative class claims brought by student-athletes alleging the NCAA violated the antitrust laws by fixing prices and establishing regulations that resulted in a group boycott in connection with alleged use of

Kimberly L. Scott

student-athlete likenesses in video games.

NCAA Antitrust Class Action Litigation

Defended the NCAA against putative class claims brought by student-athletes alleging that association's scholarship rules violated the antitrust. The court granted the NCAA's motion to dismiss which was affirmed by the Seventh Circuit.

NCAA Antitrust Class Action Litigation

Defended the NCAA against putative class claims brought by student-athletes alleging colleges and universities violated the antitrust laws by fixing prices and establishing scholarship regulations in the sports of football and men's basketball. The case settled while the NCAA's motion to decertify the class was pending.

Honors

Fellow, Litigation Counsel of America

The Fellows of the American Bar Foundation

Michigan State Bar Foundation, Fellow, 2025-present

Top Women Attorneys in Michigan, Hour Detroit Magazine, 2022

Michigan Super Lawyers, Intellectual Property Litigation, 2021-present; Rising Star, 2012-2016; Business Litigation, 2025

State Bar of Michigan Pro Bono Honor Roll, 2020-2025

Best Lawyers in America, Intellectual Property Litigation, 2018-present; 2024 Ann Arbor Intellectual Property Litigation Lawyer of the Year

Pro Bono Lawyer of the Year Award, Highly Commended, Chambers Diversity & Inclusion Awards: USA 2019

State Bar of Michigan John W. Cumiskey Pro Bono Award, 2019

Criminal Defense Attorneys of Michigan, Exceptional Achievement Certificate, 2018

Michigan Lawyers Weekly, Leaders in the Law Class of 2018

DBusiness Magazine, Top Lawyers:

Commercial Litigation

Antitrust Litigation

Arbitration

Michigan Lawyers Weekly, 2009 Up and Coming Lawyers

Wayne State University Law School, cum laude

Kimberly L. Scott

Professional Activities

American Bar Foundation, State Chair, 2022-present

Federal Bar Association, Antitrust Committee Co-Chair, 2015-present

American Bar Association, Antitrust Section, Vice-Chair of Trade, Sports and Professional Associations Committee, 2015-2025; Vice Chair of Marketing, 2023-2025; Litigation Section

State Bar of Michigan, Antitrust, Franchising and Trade Regulation Section, Treasurer, 2025-present; Council Member, 2022-present; Litigation Section; Arts, Communication, Entertainment and Sports Section

Detroit Metropolitan Bar Association

Washtenaw County Bar Association, Federal Practice Section Co-Chair 2013-2015

Oakland University Paralegal Advisory Board, 2013-2016

Sedona Conference Working Group 1, Electronic Document Retention and Production

Sports Lawyers Association

International Legal Technology Association

Women Lawyers Association of Michigan

Women of Miller Canfield, Co-Chair, 2019-present

Michigan Supreme Court, Intern for Justice Marilyn Kelly, 2005

Civic, Cultural & Social Activities

Ozone House Board of Directors, Member and Vice President; Chair, Governance Committee

Ann Arbor Summer Festival, Board of Trustees 2009-2017, Chair 2014-2015

Ann Arbor Art Center, former Board of Director and member of 100th Anniversary Committee

Leadership Ann Arbor, Class of 2008-2009

Speeches

"Hamama v. Adducci - What Now?", Presented by University of Michigan Middle Eastern Law Students Association, Feb. 26, 2019

"Practicing as an Antitrust and Sports Lawyer," ABA Section of Antitrust Law Trade, Sports, and Professional Associations Committee Teleseminar, May 23, 2018

Kimberly L. Scott

"Get Up, Stand Up: Preparing for Your First Oral Argument," ABA Antitrust Law Civil Practice and Procedure Committee Teleseminar, February 2, 2015

"U.S./Canada Cross-Border Business Torts: Basics and Developments," ABA Section of Antitrust Law International Committee and Business Torts and Civil RICO Committee Teleseminar, January 30, 2015

"Antitrust-Based Shareholder Derivative Suits: Trends and Lessons," ABA Antitrust Section Business Torts and Civil RICO Committee and Corporate Counseling Committee Teleseminar, January 27, 2014

"ESI Protocol 101: A Tale of Two Perceptions," International Legal Technology Association Webinar, January 23, 2014

Publications

"Judge Sanctions Lawyers for AI-Generated Fake Citations," Michigan Lawyers Weekly, Quoted, September 11, 2025

"It Finally Hit Home": How Kim Scott and the ACLU came to represent 1,400 Iraqis deported by ICE, 2022 Michigan Super Lawyers magazine

"Deportation of 1,000+ Iraqi Nationals Halted by Mich. Judge," (Referenced In), Law360, July 24, 2017

2017 Annual Review of Antitrust Law Developments (Contributing Author), ABA Section of Antitrust (to be published in 2018)

Antitrust Law Developments (8th Ed. 2017) (Contributing Author), ABA Section of Antitrust Law

2015 Annual Review of Antitrust Law Developments (Contributing Author), ABA Section of Antitrust (2016)

2014 Annual Review of Antitrust Law Developments (Contributing Author), ABA Section of Antitrust Law (2015)

"Uniform Pricing Policies: Level Playing Field or Antitrust Activity?" (Co-Author), The Michigan Optometrist, November/December 2014

2013 Annual Review of Antitrust Law Developments (Contributing Author), ABA Section of Antitrust Law (2014)

Business Torts and Unfair Competition, 3rd Edition (Contributing Author), ABA Section of Antitrust Law (2013)

tidBITS (Contributing Author), ABA Section of Antitrust Law Intellectual Property Law Committee (2012-2013) Antitrust Law Developments (7th Ed. 2012) (Contributing Author), ABA Section of Antitrust Law

Antitrust Law Developments (7th Ed. 2012) (Contributing Author), ABA Section of Antitrust Law

"High Stakes Sleuthing: Handling Corporate and IP Espionage Matters in the Information Age" (Co-Author), Litigation Strategies for Intellectual Property Cases, 2012 ed., 137-69, Aspatore Books from Thomson Reuters Westlaw

"In e-Discovery, Look Before You Search," Michigan Lawyers Weekly, September 7, 2009

Kimberly L. Scott

Indirect Purchaser Litigation Handbook (Contributing Author), ABA Section of Antitrust Law (2007)

Articles

Pricing Algorithms

Senators Introduce Legislation to Curb Use of Personal Data and Copyrighted Works for Gen AI Training

Business Groups Challenge New FTC Rule Prohibiting Noncompete Agreements

FTC and DOJ Emphasize Companies' Duty to Preserve Ephemeral Messaging and Data on Collaboration Platforms in Updated Guidance

Legal Consequences to Consider Before Raising Prices

Does Your Human Resources Department Understand Antitrust?