Xiaorui Yang

Attorney

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Xiaorui /shaw-ray/ Yang is an important member of KBK's skilled legal team. With considerable experience in handling complex litigation and investigations across forums and jurisdictions, he is regularly called on to brief outcome-determining legal issues at trial and on appeal, provide advice on key procedural strategies, and investigate complicated fact patterns.

Before joining KBK, Mr. Yang served as an associate at a major international law firm's D.C. office where he represented clients in federal and state trial and appellate courts and handled matters involving a wide range of subject matters, including data privacy, cybersecurity, and antitrust law. Previously, he served as a law clerk to the Honorable Andrew J. Kleinfeld of the U.S. Court of Appeals for the Ninth Circuit.

Mr. Yang also brings a valuable international perspective to KBK's practice. Before embarking on his legal career in the United States, he worked as a Senior Foreign Legal Consultant for the same major international firm in China. In that role, he helped multinational companies investigate alleged misconduct in their Chinese operation and defended U.S. and Chinese companies in transnational litigation. He is a native Mandarin speaker and well-versed in both Chinese culture and its legal system.

Mr. Yang maintains an active *pro bono* practice. He has represented clients in matters involving *habeas corpus*, direct criminal appeal, veterans' benefits, attorney sanctions, and custody disputes in courts around the country. He earned his Juris Doctor (J.D.) from Northwestern Pritzker School of Law, where he served as an Articles Editor for the *Northwestern University Law Revie*w. He also holds a J.D. from the University of Hong Kong Faculty of Law.

Education

Northwestern Pritzker School of Law, J.D., 2022
- *Cum laude*
- Senior Research Honor
- *Northwestern University Law Review*, Articles Editor

University of Hong Kong Faculty of Law, J.D., 2016

Zhejiang University, Bachelor of Law in Sociology, 2014

Clerkships

United States Court of Appeals for the Ninth Circuit
- Law Clerk, Hon. Andrew J. Kleinfeld (2022 – 2023)

U.S. District Court for the Northern District of Illinois
- Judicial Extern, Hon. Mary M. Rowland (2020)

Representative Matters

Complex Commecial Litigation

- Successfully moved to dismiss a privacy class action against an EdTech company alleging violations of a host of federal and state privacy laws.
- Successfully moved to dismiss a *qui tam* action against a major pharmaceutical company alleging false claims arising from off-label promotion.
- Successfully obtained preliminary injunction against a state law attempting to modify a federal healthcare program on preemption grounds.
- Obtained a favorable settlement for a dealership management system provider in a certified class action alleging horizontal conspiracy.
- Advised a health tech company in settling a privacy class action, including assisting the client in navigating complex issues including parallel litigation, antisuit injunction and mass arbitration, and cross-defendant indemnification.

Investigations

- Conducted internal investigations on behalf of U.S. companies in response to whistleblower reports alleging violations of Foreign Corrupt Practices Act, securities fraud, and accounting fraud.
- Represented healthcare companies in internal and government investigations triggered by cybersecurity incidents.

Pro Bono

- Successfully challenged an unfavorable benefits determination for a veteran client before the U.S. Court of Appeals for Veterans Claims.
- Won respective motions to stay execution and recuse hearing judge on behalf of a death-penalty client in Texas state *habeas corpus*
- Represented a criminal defendant in direct appeal before the U.S. Court of Appeals for the Seventh Circuit.
- Represented ACLU lawyers in sanctions proceedings before the U.S. District Court for the Northen District of Alabama.
- Acted as guardian ad litem in a custody dispute before the D.C. Superior Court.

Publications and Appearances

- "The Counter-Reformation of American Administrative Law," 58 WAKE FOREST L. REV. 387 (2023)

Prior to Kendall Brill & Kelly

- **Kirkland & Ellis LLP, Washington, D.C.**
  Associate, 2023 – 2025
- **Gibson, Dunn & Crutcher LLP**
  Summer Associate, 2021
- **Arnold & Porter Kaye Scholer LLP**
  Summer Associate, 2021
- **Kirkland & Ellis International LLP, Shanghai, China**
  Senior Foreign Legal Consultant, 2018 – 2019

Foreign Legal Consultant, 2016 – 2018

Bar and Court Admissions

- **Illinois, 2022**
- **District of Columbia, 2024**
- **China Legal Professional Qualification, 2016**
- **Certified Information Privacy Professional (CIPP), 2023**

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