PENDER & COWARD
ATTORNEYS AND COUNSELLORS AT LAW



ATTORNEY

JEFFREY H. GRAY

Phone / Fax: (757) 233-2796
jgray@pendercoward.com

EDUCATION

Washington and Lee University School of Law, 1981

University of South Carolina, 1977

ADMISSIONS

Supreme Court of Virginia

U.S. Court of Appeals, Fourth Circuit

U.S. District Court, Eastern District of Virginia

U.S. District Court, Western District of Virginia

U.S. Bankruptcy Court, Eastern District of Virginia

OVERVIEW

Jeff Gray is an attorney focusing his practice on a wide array of commercial litigation matters including banking/creditors rights, professional liability defense, business divorce/shareholder disputes, and investment/securities industry disputes.

Jeff has a career-long record of taking cases to trial before juries, judges and arbitrators. Jeff's extensive trial experience is varied in both case type and geographic location. This wide ranging advocacy experience is unusual in current litigation practice and proves invaluable to clients who are faced with complex, high stakes, and/or "bet the company" disputes. In addition, Jeff has extensive experience helping clients resolve disputes through mediation without the necessity and cost associated with trial.

Jeff is a former securities arbitrator and arbitration panel chair with the NASD (now FINRA) and he has lectured at numerous state and local bar association and industry seminars on damages, financial services and litigation issues.

While having the skills and experience to take a wide variety of cases to trial, Jeff's approach is one of seeking "practical solutions" to clients' needs. Frequently the best solution for a given case can be a creative approach to

early resolution, which ultimately can help clients avoid further legal expense and distraction in running their business. Jeff has the track record to help clients make the right choices in dealing with business disputes, in a manner that best suits the circumstances involved.

REPRESENTATIVE CASES & TRANSACTIONS

- Led a trial team defending complex questions of insurance coverage for whistleblower claims and a resulting multimillion dollar government settlement. The matter was successfully resolved shortly before the jury trial began, which would have focused on the question of government contracts fraud by the insured/adverse party.
- Successfully resolved a $65 million professional liability claim against an insurance broker by a customer alleging deliberate underinsurance following a catastrophic loss.
- Represented a bank purchaser of failed financial institution assets, totaling roughly $500 million, in resolving its most challenging credits. The bank received accolades from the FDIC regarding its efficient and cost-effective performance under the FDIC's "Loss Share Program."
- Resolved congressional and FDIC inquiries into a bank's loan workout and collection practices, resulting in no action against the financial institution.
- Litigated and resolved numerous "business divorce" cases involving, for example, manufacturing, importing, hospitality, law firm dissolution and a medical practice.
- Successfully defended a church faced with foreclosure of commercial property it owned by a creditor that manufactured an attempt to take over the property. In doing so, obtained a highly unusual (and game changing) ruling that the creditor lost the attorney-client privilege for communications with its lawyers based on the "crime-fraud" exception to privilege. Established to the court's satisfaction that the creditor improperly manipulated evidence, essentially creating fraud on the court, when attempting to overcome the church's defenses to foreclosure.

MEMBERSHIPS

- Virginia State Bar, Attorney Disciplinary Committee, Member and former Chair for Second Judicial District
- Central Business District Association, Past Member of Board of Directors
- Virginia Bar Association, Past Member of Board of Governors
- Virginia Law Foundation, Past Member of Board of Directors
- Virginia State Bar, Former Chair of Litigation Section

- Virginia Beach Bar Association, Past President and Executive Board Member
- Virginia Supreme Court Jury Reform Task Force, Past Member
- American Inns of Court, I'Anson-Hoffman Chapter, Past Member of Executive Committee
- Boyd-Graves Conference, Past Member
- National Association of Securities Dealers (now FINRA), Former Arbitration Panel Chair

HONORS & AWARDS

- AV Preeminent® – Judicial Edition, Martindale-Hubbell's highest rating for legal ability and ethical standards
- Best Lawyers in America, Commercial Litigation, 2006-2027, Litigation Securities, 2011-2027, Professional Malpractice Law - Defendants, 2011-2027
- Virginia Super Lawyers, 2006-2026
- Virginia's Legal Elite, Civil Litigation, 2022-2025
- Coastal Virginia's Top Lawyers, Commercial Litigation, 2022-2026
- Virginia Access to Justice Commission of the Supreme Court of Virginia Pro Bono Service Honor Roll Member

COMMUNITY SERVICE

- United Way Campaign, Member and Past Chair of Board of Directors, Virginia Beach Division and Past Member of Regional Board of Directors
- Hampton Roads Chamber of Commerce, Past Chair of Virginia Beach Division and Past Member of Regional Board of Directors
- Leadership Hampton Roads, Graduate and Past Member of Alumni Board
- Cape Charles Main Street, Past Board Member and General Counsel
- Brighton on the Bay Civic Association, Past President and Past Member of Board of Directors