



Danielle Kays

Partner

Chicago

t: 312.260.4751

f: 312.346.3179

Email



Service Focus

- Litigation and Trials
- Privacy and Cyber
- Employment Discrimination and Harassment
- Alternative Dispute Resolution
- Class and Collective Actions

Overview

With two decades of experience as a successful litigator, Danielle Kays advises and represents businesses in a variety of matters involving biometric, privacy, and employment law matters. She also defends employers against all types of employment discrimination, wrongful discharge, and retaliation claims and regularly works with clients to ensure compliance with rapidly evolving privacy laws.

Her extensive trial experience includes obtaining more than thirty successful verdicts for clients. She has defended more than seventy biometric information privacy lawsuits and class actions in state and federal courts and arbitrations.

Danielle is a recognized thought leader on biometric privacy laws, including the Illinois Biometric Information Privacy Act (BIPA) and the Illinois Genetic Information Privacy Act (GIPA), and has been featured in multiple publications regarding BIPA and GIPA, including *Bloomberg Law* and *Crain's Chicago Business*.

She was listed in the "Top 50 Women Leaders in Law" in 2023 and 2024 by Women We Admire for being "instrumental in leading organizations by offering unparalleled legal guidance, championing the rights of clients, and steadfastly upholding the tenets of justice."

Before joining Fisher Phillips, Danielle was an attorney in the Privacy, Biometrics & Employment Practice Group of an international Am Law 100 law firm.

Recent Experience

Experience

Danielle has achieved results including:

- Complete dismissal with prejudice in a Biometric Information Privacy Act (BIPA) class action on an issue of first impression against a government contractor.
- Complete summary judgment for a Fortune 500 wholesale retailer in an age, gender, and disability discrimination and retaliation case in Minnesota state court.
- Complete summary judgment for a global technology services company in a disability discrimination and retaliation case in the Northern District of Illinois.
- Oral argument before the Seventh Circuit Court of Appeals in age discrimination case.
- Complete defense verdict for one of the largest diversified financial services institutions in the United States in a FINRA arbitration seeking \$18 million in damages on a defamation and intentional interference with contractual relations claim, affirmed by the district court and by the Third Circuit Court of Appeal.
- Complete summary judgment for a Fortune 500 foodservice distributor in an age discrimination case in the Northern District Court of Illinois.
- Complete summary judgment for a Fortune 100 athletic apparel company in a reverse race and sex harassment, discrimination, and retaliation case in the Eastern District Court of Missouri.
- Complete summary judgment for a Fortune 100 health care company on a disability harassment, discrimination, and retaliation case in the District of Colorado, which was affirmed by the 10th Circuit Court of Appeals.
- Complete defense verdict in a FINRA arbitration on a defamation and expungement claim.

Credentials

Education

- J.D., 2004, *cum laude*, University of Illinois College of Law
- B.A., 2001, Illinois Wesleyan University

Bar Admissions

- Illinois

Court Admissions

- U.S. Court of Appeals for the Third Circuit

- U.S. Court of Appeals for the Seventh Circuit
- U.S. Court of Appeals for the Eighth Circuit
- U.S. Court of Appeals for the Tenth Circuit
- U.S. District Court for the District of Colorado
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the Southern District of Illinois
- U.S. District Court for the Northern District of Indiana
- U.S. District Court for the Southern District of Indiana
- U.S. District Court for the Eastern District of Wisconsin
- U.S. District Court for the Western District of Wisconsin

Recognitions

- Women We Admire, "Top 50 Women Leaders in Law" (2023-2024)"

Affiliations

Professional Activities

- Women We Admire, Chicago Chapter Leader
- Defense Research Institute, Women in the Law Committee (2022-present)
- American Bar Association, Forum on Franchising and Women's Advocate Committee

Community Activities

- Illinois Wesleyan University Alumni (Board of Trustees, 2019-present) (Executive Committee, 2021-present)
- Bloomington-Normal YMCA (Board of Directors, 2021-2023)

Insights

INSIGHTS

04/14/25

Businesses Get Big Privacy Win in Tester Plaintiffs' Wiretapping Case: 3 Key Takeaways

Catherine M. Contino, Darcey M. Groden, Danielle M. Kays

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NEWS

03/20/25

Partners Break Down 2025 State Privacy Laws Taking Effect

Danielle M. Kays, Monica Snyder Perl

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INSIGHTS

03/17/25

2025 State Privacy Laws Taking Effect: Key Compliance Considerations for Employers and Businesses

Danielle M. Kays, Monica Snyder Perl

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NEWS

01/29/25

Privacy and Data Partner Explains Developments in Widely Watched Wiretapping Suit

Danielle M. Kays

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INSIGHTS

12/12/24

Colorado Unveils New Privacy Rules: What Businesses – Including Employers – Need to Know to Stay Compliant

Danielle M. Kays, Kile E. Marks, Danielle S. Urban

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NEWS

11/15/24

Privacy and Data Partner Discusses Recent Illinois Biometric Data Privacy Lawsuit That Provides Clarification to The State's Biometric Data Privacy Law

Danielle M. Kays

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NEWS

11/01/24

Partner Discusses Impact of Massachusetts Data Privacy Ruling

Danielle M. Kays

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INSIGHTS

10/24/24

Big Wiretapping Win for Businesses in Massachusetts Data Privacy Case: 5 Compliance Reminders for Website Tracking Software

Risa B. Boerner, Usama Kahf, Danielle M. Kays, Joshua D. Nadreau

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EVENT

10/08/24

Upcoming New AI Regulations for Illinois Employers

Danielle M. Kays, David J. Walton

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INSIGHTS

10/04/24

Workplace Law Update: 10 Essential Items on Your October To-Do List

Kathleen McLeod Caminiti, Jessica D. Causgrove, Leanne Lane Coyle, Jonathan Crook, Katherine M. DiCicco, Kate Dedenbach, Benjamin M. Ebbink, Lauren G. Goetzl, Rick Grimaldi, Rosa Hernandez, Danielle M. Kays, Madison Keller, Danielle Krauthamer Zobel, Braden Lawes, Emily N. Litzinger, Kile E. Marks, Eleanor F. Miller, Joshua D. Nadreau, Lisa Nagele-Piazza, Lizbeth Ochoa, Karen L. Odash, Monica Snyder Perl, Deniz Uzel Reilly, Robert M. Robenalt, Rachel Song, Shane Stover, Serineh Terzyan, Megan E. Walker, David J. Walton, Sarah Wieselthier, David Witkin

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