



Daniel R. Kelley

Partner
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Dan is an experienced litigator, passionate advocate, and trusted counselor who helps clients resolve high-stakes business disputes by collaborating to develop creative, business-oriented, and cost-effective solutions to legal problems. He focuses his practice on complex commercial litigation; shareholder, fiduciary duty, and post-merger litigation; securities litigation; and trade-secret litigation. Dan represents and counsels clients in the financial services, health care, software, manufacturing, energy, insurance, and pharmaceutical industries.

He practices in state and federal courts, as well as before arbitration panels and administrative agencies. He has tried cases to verdict, including as first chair; briefed and argued dispositive motions; examined and cross-examined expert and fact witnesses; taken and defended depositions of key witnesses; briefed and argued appeals; and managed complex e-discovery involving millions of documents. He also has a deep commitment to *pro bono* and community service litigation.

Before law school, Dan taught social studies and writing and coached the wrestling and debate teams at an under-resourced school in Eastern North Carolina as a member of Teach for America.

Services

- Litigation
- Appellate | Legal Issues

Education

- University of North Carolina School of Law (J.D., *cum laude*, 2010)
 - First Amendment Law Review, editor-in-chief
- DePauw University (B.A., *summa cum laude*, 2005)
 - Phi Beta Kappa

Bar Admissions

- Indiana
- Illinois

Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals for the Seventh Circuit
- U.S. Court of Appeals for the Eighth Circuit
- U.S. District Court for the Southern District of Indiana
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the Eastern District of Michigan

Distinctions

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Indiana *Rising Star*® (2016-2021)

- *Best Lawyers*®
 - "Ones to Watch" in Indianapolis for Alternative Dispute Resolution, Litigation - Securities (2024)

Representative Pro Bono Work

Dan has prioritized *pro bono* litigation on behalf of indigent clients and nonprofit organizations throughout his career, and has received awards for his work on solitary confinement and voting rights. Dan's *pro bono* work includes:

- *League of Women Voters of Mich. v. Benson*, 373 F. Supp. 3d 867 (E.D. Mich. 2019) - Member of a trial team that [successfully challenged Michigan's legislative districts](#) as unconstitutional partisan gerrymanders. The three-judge panel's unanimous decision was vacated as a result of *Rucho v. Common Cause*, 139 S. Ct. 2484 (2019), in which the United States Supreme Court held, 5-4, that partisan gerrymandering cases present nonjusticiable political questions.
- *Isby-Israel v. Wynn et al.*, No. 2:12-cv-116-JMS-MJD, 2018 U.S. Dist. LEXIS 243961 (S.D. Ind. 2018) - Led a trial team of appointed counsel that secured a judgment ordering client's release from his 27+ year solitary confinement and awarded substantial compensatory and punitive damages for defendants' violation of and reckless indifference to client's Fourteenth Amendment due process rights. The *Isby-Israel* decision was highlighted in [The Indiana Lawyer](#) and the [Northwestern University Law Review](#), and was followed by hundreds of thousands of dollars in money judgments and settlement payments in solitary confinement cases involving the same unconstitutional practices and many of the same defendants. Dan was appointed to represent clients in four of those cases, all of which resulted in successful settlements based on the facts and law established in *Isby-Israel*: with Dinsmore & Shohl LLP partner [Christopher D. Lee](#) and paralegal Ashley Hill, in *Smith v. Reagle et al.*, No. 1:20-cv-3151-MPB-TAB (S.D. Ind. 2023); in *McQuay v. Littlejohn et al.*, No. 2:19-cv-149-JRS-MG (S.D. Ind. 2022); in *Short v. Carter et al.*, No. 2:19-cv-195-JRS-DLP (S.D. Ind. 2021); and in *Jones v. Carter et al.*, No. 2:19-cv-251-JMS-DLP (S.D. Ind. 2021).
- *Jackson v. Willis*, 844 F.3d 696 (7th Cir. 2016) – As appointed counsel, represented an incarcerated client in an appeal of a civil judgment in an Eighth Amendment case.

- *Mellouli v. Lynch*, 575 U.S. 798 (2015) - Member of team that successfully petitioned the United States Supreme Court to reverse a deportation order based on a lawful permanent resident's state-law conviction for possession of drug paraphernalia – to wit, a [sock](#) containing four Adderall® pills.
- *Bunch v. Colvin*, No. 1:15-cv-733-TWP-DKL (S.D. Ind. 2015) - Successfully challenged an improper denial of Social Security benefits where the agency proceeding failed to consider key evidence.
- *Hughes v. Ash*, No. 1:09-cv-1536-TWP-TAB (S.D. Ind. 2014) – As counsel appointed through the Court's Mediation Assistance Program to represent a client in an Eighth Amendment case, secured a settlement enabling incarcerated client to serve the remainder of his sentence in a work-release facility.
- *Dodd v. Griffin et al.*, No. 1:11-cv-696-WTL-MJD (S.D. Ind. 2013) – As a member of team of appointed counsel representing a client as part of the Court's Mediation Assistance Program, secured a settlement of the client's Eighth Amendment claims.
- *Mnyofu v. Bd. of Educ. of Rich Twp. High Sch. Dist.* 227, 832 F. Supp. 2d 940 (N.D. Ill. 2011) – Member of team representing a client who alleged that a local school board violated his First Amendment rights by restricting him from speaking at public meetings.