

Graham K. Bryant

Counsel

Richmond

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A former Virginia state government attorney with extensive appellate and enforcement experience, Graham advises clients in regulatory investigations and enforcement actions involving U.S. state attorneys general.

OVERVIEW

Graham represents clients in regulatory investigations and enforcement matters involving state attorneys general and federal agencies. He spent over four years in the Office of the Solicitor General of Virginia, where as principal deputy solicitor general he handled significant constitutional challenges and policy litigation in state and federal courts, including multiple matters in the U.S. Supreme Court. Graham additionally served as the Office of the Attorney General of Virginia's director of Virginia appellate litigation, overseeing the office's practice in all civil and major criminal cases in Virginia's appellate courts — experience that taught him how state enforcement offices think about cases and make decisions at the highest levels.

Earlier in his career, Graham handled appellate and trial work for health care professionals facing medical malpractice claims and regulatory actions. Graham has argued dozens of appeals in the U.S. Court of Appeals for the Fourth Circuit, Supreme Court of Virginia, and Court of Appeals of Virginia and has edited hundreds of briefs across subject areas, cultivating skills that carry over to the litigation strategy and advocacy work he does now for clients in a variety of industries.

Graham is a recognized thought leader in Virginia appellate and procedural issues. He authored the first treatise chapters addressing the recent sea change in litigation practice when Virginia's legislature established appeals of right to the Court of Appeals of Virginia. Graham teaches Virginia Civil Procedure at William & Mary Law School, and he frequently writes and presents on appellate practice and government enforcement issues. *Virginia Business Magazine* has recognized his appellate and regulatory enforcement experience, naming him a Legal Elite multiple times in appellate law and administrative/government/legislative practice.

REPRESENTATIVE MATTERS

- Argued interlocutory sovereign-immunity appeal presenting first-impression question of interpretation of the Virginia Overtime Wage Act with millions of dollars of potential liability at stake in the Supreme Court of Virginia. *Commonwealth v. Mattocks et al.*, No. 250586 (Va. 2026).
- Prevailed in merits appeal to U.S. Supreme Court resulting in landmark decision on availability of attorney's fees in civil rights litigation. *Lackey v. Stinnie*, 604 U.S. 192 (2025).

- Successfully argued against first-impression claim asserting that a search warrant retaliated against protected speech in violation of First Amendment in civil rights action. *Stanley v. Boccock*, 160 F.4th 573 (4th Cir. 2025).
- Successfully defended Virginia State Corporation's decision to deny a proposed toll increase in widely watched litigation in Supreme Court of Virginia. *Toll Road Investors Partnership II, L.P. v. State Corp. Comm'n*, 304 Va. 352 (2025).
- Authored briefs and presented oral argument on behalf of amicus curiae supporting law-enforcement officials in personal injury appeals presenting novel gross-negligence and illegality defense issues. *Harris v. Howard*, 304 Va. 177 (2025); *Howard v. Harris*, 80 Va. App. 365 (2024).
- Argued civil rights appeal presenting novel procedural due process questions arising during the COVID-19 pandemic in the Fourth Circuit. *Brown v. Stapleton*, 142 F.4th 252 (4th Cir. 2025).
- Successfully defended constitutionality of Virginia's business conspiracy statute in consolidated cases challenging construction of natural gas pipeline. *Mountain Valley Pipeline v. Hinz et al.*, No. 7:24cv00352 (W.D. Va. 2025).
- Resisted constitutional challenge to Virginia broadband-expansion statute in appeal from Virginia State Corporation Commission rulings permitting installation of fiber optic cables across railroad tracks. *Norfolk S. Ry. Co. v. State Corp. Comm'n*, 304 Va. 284 (2025); *CSX Transportation, Inc. v. State Corp. Comm'n*, No. 240872 (Va. 2025).
- Obtained emergency stay from U.S. Supreme Court of preliminary injunction in National Voter Registration Act challenge to Virginia election law and litigated further dispositive motions and interlocutory appeals. *Beals v. Virginia Coalition for Immigrant Rights*, No. 24A407, 603 U.S. ___ (2024) (mem.).
- Authored amicus brief and presented argument at Court's request in landmark Virginia Freedom of Information Act case. *Citizens for Fauquier Cnty. v. Town of Warrenton*, 81 Va. App. 363 (2024).
- Litigated high-profile contempt case before *en banc* Court of Appeals of Virginia and Supreme Court of Virginia. *Orndoff v. Commonwealth*, 79 Va. App. 676 (2024) (*en banc*); 920 S.E.2d 305 (Va. 2025).
- Argued original-jurisdiction *habeas corpus* matter presenting novel issues involving interpretation of Virginia's new enhanced earned sentence credit statute. *Vasquez v. Dotson*, 303 Va. 97 (2024).
- Obtained affirmance of dismissal of age-discrimination claim on sovereign immunity grounds following oral argument involving first-impression question of interpretation of Virginia Human Rights Act. *Fogleman v. Commonwealth*, No. 0841-22-2 (Va. Ct. App. 2023).
- Successfully defended Virginia's civil marriage officiant statute from constitutional challenge in oral arguments at trial and on appeal. *Bleakley v. Commonwealth*, No. CL22-2232 (Richmond Cir. 2023), *dismissed* 0106-23-2 (Va. Ct. App. 2023).
- Persuaded Supreme Court of Virginia to vacate injunction against enforcement of statute banning skill game machines in interlocutory appeal presenting novel First Amendment issues. *Commonwealth v. Sadler Bros. Oil Co.*, No. 230610 (Va. 2023).
- Successfully resisted constitutional challenge to Virginia's right-to-retrieve law brought by national public interest law firm. *Medeiros v. Va. Dep't of Wildlife Res.*, No. 1463-22-2 (Va. Ct. App. 2023), *aff'd after oral argument*, No. 230691 (Va. 2024).
- Obtained reversal after argument of denial of qualified immunity in constitutional challenge to correctional employee drug-testing policy. *Garrett v. Clarke*, 74 F.4th 579 (4th Cir. 2023).
- Successfully defended State Corporation Commission ruling that it lacked jurisdiction in Public-Private Transportation Act case over contractual dispute involving utility relocation payments in appeal to Supreme Court of Virginia. *Verizon Virginia LLC v. State Corp. Comm'n*, 302 Va. 467 (2023).
- Successfully petitioned Supreme Court of Virginia to grant appeal in novel workers compensation subrogation matter. *Hartford Underwriters Ins. Co. v. Allstate Ins. Co.*, 301 Va. 460 (2022).
- Authored time-sensitive amicus brief in support of Virginia advocacy organization in complex removal proceedings regarding an elected school board member. *Open FCPS Coalition v. Tholen*, No. CL2021-10386 (Fairfax Cir. Ct. 2021).

AWARDS

- Recognized as Legal Elite by *Virginia Business Magazine* in Appellate Law in 2021, 2024, and 2025, and in Administrative/Government/Legislative practice in 2023
- Sandra P. Thompson Award, the Virginia Bar Association Young Lawyers Division's highest honor, 2023
- Named to faculty of Virginia CLE's inaugural Appellate Advocacy Academy, 2022
- Named Up & Coming Lawyer by Virginia Lawyers Media, 2021
- Article of the Year in *Virginia Association of Defense Attorney's Journal of Civil Litigation*, 2021
- Significant Service Award presented by Virginia State Bar Young Lawyers Conference, 2019 and 2020

TOP AREAS OF FOCUS

- Appellate + Supreme Court
- Regulatory Investigations, Strategy + Enforcement
- State Attorneys General

ALL AREAS OF FOCUS

- Appellate + Supreme Court
- Business Litigation
- Enforcement Actions + Investigations
- Government + Regulatory Litigation
- Litigation + Trial
- Public Records/FOIA
- Regulatory Investigations, Strategy + Enforcement
- State Attorneys General

PROFESSIONAL/COMMUNITY INVOLVEMENT

- President, John Marshall American Inn of Court
- Virginia Bar Association
 - Appellate Practice Section Council, member; editor-in-chief, *On Appeal* Section Newsletter
 - Young Lawyers Division, secretary-treasurer, Executive Board, 2019–2025; chair, Model Judiciary Committee
- Virginia State Bar
 - Editor and member, President's Special Committee on Lawyer Well-Being, 2018–2019; 2021–2023
 - Member, Special Committee on Technology and the Future Practice of Law, 2017–2022
 - Co-chair, Young Lawyers Conference Bench-Bar Relations Committee, 2019–2021
- Member, Federalist Society, Richmond Chapter

PROFESSIONAL EXPERIENCE

- Principal deputy solicitor general and director of Virginia Appellate Litigation, Office of the Attorney General of Virginia, Richmond, Virginia, January 2022-February 2026
- Adjunct professor of law, William & Mary Law School, Williamsburg, Virginia, August 2019-May 2021; January 2026-present

- Writing instructor, Appalachian School of Law, Grundy, Virginia (Remote) Summer 2019; Fall 2019-Winter 2020

EDUCATION AND CERTIFICATIONS

EDUCATION

- William & Mary Law School, J.D., *magna cum laude*, 2016, senior articles editor, *William & Mary Law Review*; Order of the Coif; Blackstone Legal Fellow
- College of William & Mary, B.A., *summa cum laude*, 2013, English; minor in history

BAR ADMISSIONS

- Virginia

COURT ADMISSIONS

- Supreme Court of the United States
- U.S. Court of Appeals, Fourth Circuit
- U.S. District Court, Eastern District of Virginia
- U.S. District Court, Western District of Virginia

CLERKSHIPS

- Hon. William C. Mims, Supreme Court of Virginia, 2018-2020
- Hon. Glen A. Huff, Court of Appeals of Virginia, 2016-2018

SPEAKING ENGAGEMENTS

- Speaker, “Appeals 101,” Richmond Bar Association, October 1, 2025; Virginia Bar Association Spring Meeting, April 26, 2025.
- Speaker, “The New Appeal of Right to the Court of Appeals: What Have We Learned?” Richmond Bar Association Bench-Bar Conference, October 17, 2024.
- Speaker, “Appeal Skills,” Virginia Poverty Law Center Annual Statewide Legal Aid Conference, October 16, 2024.
- Speaker, “Practice before the Court of Appeals of Virginia, Supreme Court of Virginia, and Fourth Circuit,” Local Government Attorneys of Virginia Spring Conference, April 26, 2024.
- Speaker, “Sovereign Immunity: Federal and Virginia Principles,” Office of the Attorney General CLE Series, October 19, 2023.
- Speaker, “Interlocutory and Injunction Appeals,” Virginia Bar Association Sixth Appellate Summit, September 28, 2023.
- Speaker, “Appellate Brief-Writing 101,” Office of the Attorney General CLE Series, June 27, 2023.
- Speaker, “Effective Legal Writing and Oral Advocacy,” Virginia State Bar Bench-Bar Conference, April 14, 2023.
- Speaker, “Appeals of Right in Virginia: Practicing in the Commonwealth’s New Appellate Landscape,” Office of the Attorney General Child Support Enforcement Division Annual CLE Conference, September 14, 2022.
- Speaker, Oral Argument Demonstration, Written Argument Coach, and Mock Oral Argument Judge, Virginia CLE Appellate Advocacy Academy, August 4–5, 2022.
- Speaker, “The Future of Law Came Quickly, Didn’t It? A Review of a Quick Evolution of the Profession and

Advice on What to Do About It,” Virginia State Bar Annual Meeting, June 17, 2022.

- Speaker, “The Hottest Technology for Lawyers with Writing and Editing,” Virginia State Bar Techshow, April 25, 2022.
- Speaker, “Appeals of Right in Virginia: Preparing for the New Appellate Landscape,” Virginia Association of Defense Attorneys Lunch and Learn, November 30, 2021.
- Speaker, Appellate Ethics Panel, Virginia Bar Association Fifth Appellate Summit, September 9, 2021.
- Speaker, “Appeals of Right in Virginia: Preparing for the New Appellate Landscape,” Virginia Bar Association Summer Meeting, July 23, 2021.
- Speaker, “COVID-19 and a Troubled Economy: How to Maintain Lawyer Wellness,” Virginia CLE, May 4, 2020.
- Speaker, “The Future of Law Practice: Confronting the Shifting Landscape,” Virginia State Bar Annual Meeting, June 14, 2019.
- Speaker, “What Does the Disappearing Civil Trial Mean? Reasons for the Decline and Implications Going Forward,” Virginia State Bar Professional Development Conference, September 29, 2017.

PUBLICATIONS

Book Chapters

- Appellate Practice — Virginia and Federal Courts (7th ed. 2023), author, Chapter 1: “The Virginia Judicial System: Jurisdiction and Structure,” and co-author, Chapter 2: “Appeals to the Court of Appeals and the Supreme Court of Virginia.”

Law Journals

- Author, “Appeals of Right in Virginia: Preparing for the New Appellate Landscape,” 33 J. CIV. LITIG. 427 (2021).
- Author, “The Historical Argument for State Sovereign Immunity in Bankruptcy Proceedings,” 87 MISS. L.J. 49 (2018).
- Author, “The Disappearing Civil Trial: Implications for the Future of Law Practice,” 30 REGENT U. L. REV. 287 (2018).

Other Publications

- Co-author, “Virginia Attorney General Jay Jones Shifts Office Priorities,” *Virginia Lawyers Weekly*, March 9, 2026.
- Author, “Rules Update: Preliminary Assignments of Error and Reply Briefs in Support of Cross-Error,” 9 *On Appeal* (Va. Bar Ass’n), Summer 2024, at 9–11.
- Author, “An Overview of Interlocutory Appeals in Virginia’s Evolving Appellate Environment,” 8 *On Appeal* (Va. Bar Ass’n), Fall 2023, at 7–12.
- Author, “Court of Appeals ‘Clean-Up’ Legislation Tweaks Appellate Procedure,” 10 *Opening Statement* (Va. Bar Ass’n), October 2022, at 4–6.
- Editor and contributing author, *The Occupational Risks of the Practice of Law: Report of the Virginia State Bar President’s Committee on Lawyer Well-Being*, May 2019; Supplemental Report June 2022.
- Editor and contributing author, *2022 Report of the Virginia State Bar Special Committee on Technology and the Future of Law Practice*, May 2022.
- Author, “The Nuts and Bolts of Appealing to the Expanded Court of Appeals of Virginia,” *Virginia Lawyer*, April 2022, at 24–28.
- Author, “The Path to Appeal of Right: A Concise History of the Expanded Court of Appeals of Virginia,” 6 *On*

Appeal (Va. Bar Ass'n), Fall 2021, at 6–9.

- Author, “Appeal of Right Comes to the Commonwealth: Preparing for Practice Before the Expanded Court of Appeals of Virginia,” *Virginia Lawyer*, August 2021, at 22–25.
- Author, “Recent Developments Make Interlocutory Appeals More Accessible,” 6 *On Appeal* (Va. Bar Ass'n), Spring 2021, at 8–9, 17.
- Author, “Anticipating Appeals of Right in the Court of Appeals of Virginia,” 9 *Opening Statement* (Va. Bar Ass'n), April 2021, at 10–11.
- Author, “Oral Arguments by Videoconference: Avoiding Common Pitfalls,” *Virginia Lawyer*, October 2020, at 45–46.
- Author, “Revealing the Logic of Legal Writing,” 6 *Opening Statement* (Va. Bar Ass'n), July 2018, at 4–5.
- Contributing author, *2019 Report of the Virginia State Bar Special Committee on the Future of Law Practice*, March 2019.
- Author, “The Disappearing Trial and an Uncertain Future,” *Virginia Lawyer*, June 2018, at 56–57.
- Author, “Appellate Hypotheticals Are Opportunities for Advocacy,” 4 *On Appeal* (Va. Bar Ass'n), Spring 2018, at 5–7.
- Author, “Legal Writing in a Screen-Filled World,” 5 *Opening Statement* (Va. Bar Ass'n), May 2017, at 4–5.

MEDIA COMMENTARY

- Profiled, “[Halifax County Native Joins Firm](#),” *The Gazette Virginian*, March 10, 2026.