



David M. Leonard

SHAREHOLDER

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Overview

Dave Leonard has more than 25 years of experience in civil litigation, arbitration, and dispute negotiation. He has handled cases in more than a dozen states, including general commercial litigation, complex insurance and bad faith litigation, reinsurance arbitration, engineering and other technically oriented disputes, fiduciary liability, and other professional liability litigation.

Dave also has experience in intellectual property disputes and patent infringement litigation, the defense of companies in class action litigation, and the prosecution and defense of commercial contract, fraud, and fiduciary claims. He has been lead counsel in lawsuits throughout the Southeast, and has tried cases to verdict in Georgia, Alabama, and Louisiana.

As an arbitrator for the American Arbitration Association and the International Centre for Dispute Resolution, Dave has arbitrated disputes involving commercial contracts and warranties, engineering and product performance, software design, and patent infringement.

Dave is the Atlanta office managing shareholder.

Experience

Litigation and Arbitration

- Complex commercial contract and commercial tort disputes among financial institutions, insurance companies, manufacturers, and other businesses.
- Investigation, analysis, and defense of claims against insurers and financial institutions alleging breach of contract, breach of fiduciary obligations, negligence, breach of trust, and bad faith.
- Represented insurers in connection with claims against corporate directors and officers arising out of securities law violations, allegations of mismanagement and corporate waste, contract disputes, employment disputes, discrimination claims, ERISA violations, and fraud.
- Defended class action claims against insurers, financial institutions, and

consumer service and product providers.

- Intellectual property disputes, including claims involving trade secrets and patent infringement.
- Contract and warranty disputes among manufacturers, suppliers, vendors, and customers; complex technology, engineering, and construction defect disputes; industrial plant equipment and boiler and machinery failures, fires, and other complex disputes requiring engineering-related analysis and development.
- Professional errors and omissions suits against architects and engineers, insurance agents and brokers, and other professionals.
- Represented reinsurers in treaty and facultative reinsurance disputes and arbitration.

Representative Cases

- Represented leading D&O insurers in connection with numerous class action and derivative claims against officers and directors of U.S. public companies typically seeking damages in excess of \$100 million.
- Represented insurers of major U.S. financial institutions in connection with claims for breach of fiduciary obligations and allegations of bank errors and omissions.
- Represented a joint venture between a major oil company and a foreign chemical company in circuit court in Alabama, seeking recovery against multiple raw material suppliers for damages sustained to the clients' manufacturing facility following the introduction of contaminated feed stock.
- Represented a D&O insurer in direct coverage litigation in Mississippi, resulting in judgment in favor of the insurer, affirmed on appeal after argument before the Mississippi Supreme Court.
- Represented an insurance broker against claims of negligence in connection with the placement and renewal of insurance, obtaining a verdict in favor of the defendant broker following a jury trial in state court in Georgia.
- Represented a U.S. property insurer at trial in federal court in Louisiana, resulting in a favorable decision.
- Represented consumer credit insurers in several putative class actions alleging statutory disclosure violations and other damage claims. The claims were resolved.
- Obtained a temporary restraining order in federal court in Kentucky prohibiting a multistate mining corporation from continuing an accounting process with a major utility that would have prejudiced the client's rights under an existing contract.
- Represented London reinsurers in connection with claims by a ceding company seeking reimbursement of extracontractual damages resulting from conduct of the ceding company.
- Represented builder's risk insurer in a complex coverage dispute involving damages to industrial equipment sustained following the installation of new equipment. The arbitrator found in favor of the builder's risk insurer, concluding that sufficient testing and preliminary operation had taken place to transfer the risk to the property insurer, not the builder's risk insurer.
- Represented financial institution insurers in connection with claims under fidelity and financial institution bonds, including conducting investigations of underlying factual information, circumstances surrounding alleged losses, coverage analysis, and related litigation.

- Dave is experienced as a neutral and as an advocate representing clients in all forms of alternative dispute resolution. A member of the AAA panel of arbitrators since 1995, he has served as an arbitrator in various commercial and technical disputes under the auspices of the AAA and the ICDR. Dave also has served as a mediator in commercial, insurance, and professional disputes.

All Insights

02.07.2019	Georgia Super Lawyers Honors Carlton Fields Attorneys on 2019 Lists
11.15.2018	Roben S. West Joins Carlton Fields in Atlanta
09.25.2017	Adjusting Claims in Florida Following Hurricane Irma
08.24.2017	Hurricane Harvey: Insurance Statutes and Regulations
08.15.2017	78 Carlton Fields Attorneys Named “Best Lawyers in America”
08.03.2017	BTI Ranks Carlton Fields among Firms with Best Insurance Industry Client Relationships
06.06.2017	Carlton Fields Strengthens Insurance Regulatory Practice with Addition of Beth A. Vecchioli
10.12.2016	Post-Hurricane Matthew: Insurance Statutes and Regulations
05.29.2013	Q&A With Carlton Fields' Dave Leonard
12.18.2012	Financial Coverage Issues: Obtaining D&O Proceeds
03.05.2012	From Level 3 to Genzyme: Evaluating Insurance Coverage for Disgorgement of Profits

Recognition

- AV Rated by Martindale-Hubbell
- Listed in *The Best Lawyers in America*, Litigation - Insurance (2017-2019)
- Listed in *Marquis Who's Who In American Law*, *Who's Who in America*, and *Who's Who in the World*
- Selected by peer review as one of Georgia's *Super Lawyers*, as published by *Law & Politics* and *Atlanta Magazine* (2005-2019)

Professional & Community Involvement

- American Arbitration Association

- American Bar Association
- Fellow, American College of e-Neutrals
- Atlanta Bar Association
- Atlanta Lawyers Club
- Maritime Law Association of the United States
- New York City Bar Association
- Professional Liability Underwriting Society
- State Bar of Georgia
- Oglethorpe University
 - Board of Trustees
- Oglethorpe University Museum of Art
 - Advisory Board

Speaking Engagements

- "Discovery in Insurance Coverage Disputes," Insurance Law Conference, The Seminar Group, Atlanta (March 24-25, 2016).

Credentials

EDUCATION

- Emory University School of Law (J.D., 1975)
- Purdue University (B.S., Chemical Engineering, 1972)

BAR ADMISSIONS

- Georgia
- New York

BOARD CERTIFICATIONS

- Licensed Patent Attorney

COURT ADMISSIONS

- United States Supreme Court
- Georgia Supreme Court
- Georgia Court of Appeals
- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Middle District of Georgia
- U.S. District Court, Northern District of Georgia
- U.S. District Court, Southern District of Georgia
- U.S. District Court, Western District of Louisiana
- U.S. Patent and Trademark Office

Background

- Partner, Locke Lord Bissell & Liddell LLP

Areas of Focus

PRACTICES

- ERISA Employee Benefit Plan Litigation
- Financial Services Regulatory
- Government Affairs and Lobbying
- Intellectual Property
- Life, Annuity, and Retirement Litigation
- Life, Annuity, and Retirement Solutions
- Litigation and Trials
- Property & Casualty Insurance
- Securities and Derivative Litigation
- Title Insurance

INDUSTRIES

- Technology & Telecommunications