



## David J. Richards

### Partner

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An experienced trial attorney, David Richards defends the interests of individuals and corporations in matters involving products, premises, and automobile liability, as well as breach of warranty and toxic exposure. These cases range from minor slip and falls and auto accident cases to significant six-figure cases against prominent plaintiffs' firms. In recent years, Dave has focused his trial work on binding arbitrations.

Throughout his career, Dave has provided counsel to clients nationwide, representing them in numerous state and federal courts. This includes serving on a team of national trial counsel for one of the nation's leading consumer service providers. In this role, he has represented the client and its subsidiaries nationwide in general liability and automobile liability cases, and also in complex class action litigation.

Since joining Hinshaw, Dave has played an active role in investing in the next generation of practitioners. In addition to serving as an instructor for the firm's trial advocacy program, he has been involved in its continuing education program, Hinshaw University. Dave is also the former co-chair of the firm's Mentoring Committee.

While attending law school, Dave was involved in a number of activities and associations, including serving as the Managing Editor for the *Valparaiso University Law Review*.

## Professional Affiliations

- DRI
- Illinois Association of Defense Counsel

## Honors & Awards

- Named one of the "40 Illinois Attorneys Under 40 to Watch" by *Chicago Daily Law Bulletin*, June 2009
- Holds the AV® Peer Review Rating from Martindale-Hubbell, its highest rating for ethics and legal ability

## Practices

Commercial Litigation  
Complex Tort & General Casualty  
Consumer and Class Action Defense

## Education

J.D., *summa cum laude*,  
Valparaiso University School of Law, 1995

B.A., Loyola University of Chicago, 1992

## Admissions

Illinois

U.S. Court of Appeals for the Ninth Circuit

U.S. District Court for the Northern District of Illinois



## Representative Matters

- Toxic exposure case in Iowa involving claim of cerebral palsy allegedly caused by exposure to pesticide. Case was originally filed in state court, removed to federal district court, which granted *Daubert* motions to exclude plaintiffs' experts and summary judgment in defendants' favor. On appeal, the Eighth Circuit remanded to state court because individual employee of defendant improperly dismissed and diversity was lacking. In subsequent state court proceeding against employee, summary judgment granted based on *Daubert* and absence of evidence of causation.
- Action for breach of contract, tortious interference, misappropriation of technology by software vendor against home warranty company in federal court in Philadelphia. Case involved multiple written and oral agreements and vendor sought losses of revenue and business value in excess of \$100 million. Multiple favorable summary judgment rulings and successful motions to exclude plaintiff's experts reduced claim to approximately \$600,000 and thereafter, a favorable settlement was reached.
- Rear-end auto accident case in Buffalo, New York in which liability was conceded and case was tried on damages only. Plaintiff claimed neck and back injuries necessitating cervical fusion surgery. Plaintiff's last demand prior to verdict was \$400,000 and she asked the jury for a verdict of approximately \$800,000. The defense asserted that the claimed injuries were not related to the accident, based on biomechanical expert testimony regarding minor impact and medical expert testimony that the injuries were pre-existing. The jury verdict was for \$45,000.
- Termite damage fraud arbitration in Kalamazoo, Michigan. Claimant sought recovery for diminished value of home due to deficiencies in termite services, attorney's fees, punitive damages, and mental anguish. Claimant requested an award of \$1.5 million, plus punitive damages. The arbitrator awarded claimants \$208,040 and denied all other claims including punitive damages.
- Property damage action for breach of a home warranty. Claimant sought damages for the cost of replacing his air conditioning, plus damages for consumer fraud, treble damages and attorney's fees. The arbitration was conducted through Zoom and the arbitrator awarded damages for cost of repairs, but found for our client on the claims for consumer fraud, treble damages, and attorney's fees.

## Personal

Dave lives in Oak Park, Illinois with his wife and three children.

## Community/Civic Activities

- PADS/Housing Forward
  - Dave has volunteered with the PADS/Housing Forward program in Oak Park, Illinois which provides meals and overnight accommodations to homeless individuals. He has assisted at one of the designated locations that hosts approximately 50 homeless guests each week, with setup, meal preparation, meal service, and clean-up.
- St. Edmund Catholic Church
  - Volunteer at annual fundraiser, as well as other various other events throughout the year.