



David M. Alt is a multifaceted attorney who has represented clients in some of the nation's most high-profile cases involving insurance, railroads, financial services, construction, professional liability, premises liability and products liability.

An experienced attorney with a wide breadth of knowledge, David has successfully navigated his clients' most challenging claims, which often involve significant alleged exposure (as high as \$1 billion), significant risk, aggressive plaintiffs' attorneys, sympathetic plaintiffs, inhospitable jurisdictions and fact patterns that require proactive investigation and creative solutions.

David is the go-to attorney for insurers facing high-stakes bad faith claims, particularly when the case requires company witnesses to testify in depositions at trial. He has earned the reputation of being one of the most accomplished and thorough advisors throughout the deposition and trial process, providing his clients with substantive confidence to confront all potential challenges. David's reputation among clients and peers has earned him recognition in *The Best Lawyers in America* list for Insurance Law in 2021.

In addition to his trial practice, David serves as regional and national counsel to a diverse set of companies with unique nationwide risks, relying on him to identify and manage local lawyers as an extension of the client's team. For example, several insurance companies rely upon David to coordinate and oversee all of their cases involving allegations that they engaged in bad faith handling of claims. Numerous railroads, trucking companies, Fortune 500 businesses and regional companies rely upon him to defend cases throughout the country and/or oversee defense counsel involved on the ground in far off locations. David is uniquely situated to act as regional and national counsel having appeared himself in courts in over 25 states and in several overseas arbitrations.

David also serves as BatesCarey's hiring partner and co-chair of the associate committee. In this capacity he oversees the hiring and development of the firm's growing partner and associate ranks.

He is a frequent speaker for the Claims Litigation Management Alliance (CLM), several railroad associations, and local and national bar associations. He also spends countless hours with community organizations, particularly coaching youth sports and outdoors camps. In his free time, he enjoys training for and competing in Olympic distance triathlons.

REPRESENTATIVE MATTERS

Brettman v. Vela et al., Case No. 15 L 76 (Cook Co. Ill. 2017) The professional liability carrier defending this lawsuit was facing six-figure defense costs that were expected to potentially triple and a multi-million dollar settlement demand from the plaintiff. The carrier retained David to coordinate the defense of the lawsuit, position the case strategically for settlement, and aggressively negotiate with the plaintiff's attorney. Within months, David settled the matter for a nominal amount thereby extinguishing the insurer's defense costs, extricating the insured from a potentially seven-figure liability, and saving the insurer potentially hundreds of thousands of dollars.

Confidential Pre-Suit Mediation (2016) London-based insurer retained David to seek recovery from a Chicago law firm who, without authority from the insurer, bound the insurer

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Practice Areas

- Arbitration
- Counseling and Risk Management
- Coverage Litigation
- General Commercial Litigation
- Professional Liability
- Transportation

Education

- Loyola University Chicago, J.D. 2001
- University of Wisconsin (Eau Claire), B.B.A. 1998, *summa cum laude*

Memberships

- Claims Litigation Management Alliance
- DuPage County Bar Association
- Wisconsin Bar Association

Admissions

- Illinois
- Wisconsin
- S. District Court for the Northern District of Illinois
- S. District Court for the Central District of Illinois
- S. District Court for the Northern District of Indiana
- S. District Court for the District of Nebraska

to a binding arbitration and resultant non-appealable seven-figure award. David provided the law firm with a draft complaint, demanded immediate mediation to minimize legal fees, and ultimately secured a seven-figure settlement from the law firm.

Schulte v. Iowa Interstate, Case No. 7 L 82 (Ill. Cir. Ct. 2011) (judgment entered May 5, 2011) Obtained defense verdict in favor of a railroad contractor in personal injury case after a three-week jury trial.

Waste Management Recycle America, Inc. v. Shawn Lavin, Case No. 10 CH 006665, (Ill. Cir. Ct. 2011); No. 2-11-0180 (Ill.2d Dist. 2011) After a five-day bench trial and subsequent appeal to the Illinois Court of Appeals, established the validity of a covenant not to compete in the employment contract of a former senior level executive of our client.

Selective Ins. Co. v. City of Paris, 681 F.Supp.2d 975 (C.D. Ill. 2010) Obtained summary judgment for one of city's liability insurance companies, proving that the insurer's policy did not cover a claim brought by two men convicted of murder, but released after 16 years.

Scottsdale Ins. Co. v. American Re-Insurance Co., No. 8:06CV16 (D. Neb. 2008) Court enters summary judgment in favor of reinsurer and against ceding company and broker who failed to properly procure reinsurance or obtain special acceptance from the reinsurer to provide reinsurance for long-haul trucking risk.

EnergyNorth Natural Gas Co. v. Certain Underwriters at Lloyd's, London, 934 A.2d 517 (N.H. 2007) In a matter of first impression, the New Hampshire Supreme Court unanimously adopted pro rata allocation for long-term environmental pollution claims.

Essex Ins. Co. v. City of Chicago, No. 06 C 3743 (N.D. Ill. 2007) Obtained summary judgment based on no additional insured coverage where claim did not arise out of the named insured's work.

Wilson v. Leitner, No. C4-99-7770 (Anoka Co., Minn. 2002) Defense verdict at conclusion of plaintiff's case in professional liability suit against CPA brought by former clients who had been penalized by IRS for underpayment of taxes and improper accounting practices.

- S. District Court for the Eastern District of Wisconsin
- S. District Court for the Western District of Wisconsin
- S. Court of Appeals for the Seventh Circuits
- S. Court of Appeals for the Eighth Circuits
- District of Colorado