



David Ian Dalby

Partner

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David Dalby has a diverse trial and litigation practice representing attorneys and other professionals, business entities and private employers, including financial institutions, non-profit corporations, securities firms, associations, and insurers.

David has prosecuted and defended law suits in both state and federal court concerning consumer and class action litigation, employment and disability discrimination, wrongful termination, wage and hour claims, professional liability, personal injury, bankruptcy, insurance, and contract disputes. He also serves as counsel to private employers concerning human resource risk management issues.

David joined Hinshaw & Culbertson LLP in January 1998. He is a past member of the Board of Governors of the Lawyers' Club of San Francisco 1996 to 2001 and was the Chair of the Club's Continuing Legal Education Committee.

During his graduate studies at Fordham University, David was a Loyola Fellow and also a Robert Boone Stewart Memorial Fellow.

Professional Affiliations

- Association of Defense Counsel of Northern California & Nevada
- Association of Professional Responsibility Lawyers
- Bar Association of San Francisco

Honors & Awards

- Recognized on the Super Lawyers list by *Northern California Super Lawyers* magazine, 2004 – 2005
- Holds the AV® Peer Review Rating from Martindale-Hubbell, its highest rating for ethics and legal ability

Representative Matters

- *Bugna v. Fike* (2000) 80 Cal.App.4th 229; 95 Cal.Rptr.2d 161.
- *Winding Creek v. McGlashen* (1996) 44 Cal.App.4th 933; 52 Cal.Rptr.2d 236.
- *Holden v. Hagopian* (9th Cir. 1992) 978 F.2d 1115.

Practices

Commercial Litigation
Consumer and Class Action
Defense
Labor & Employment
Litigators for the Profession®
Professional Liability

Industries

Insurance & Reinsurance
Insurance Coverage

Education

J.D., University of San
Francisco School of Law, 1984
M.A., International Economics
and Political Science, Fordham
University, 1981
B.S., Ball State University,
1979

Admissions

California
U.S. Court of Appeals for the
Ninth Circuit
U.S. District Court for the
Central, Eastern, Northern, and
Southern Districts of California



Presentations

- Co-Presenter, "West Coast Labor & Employment Regional Law Update," Hinshaw & Culbertson LLP, Virtual Event, July 26, 2022
- Co-Presenter, "The Labor & Employment Year in Review: Is It Over Yet?" West Coast Session, Hinshaw's 25th Annual Labor & Employment Seminar, Virtual Event, October 26, 2020
- "Self-Expression in the California Workplace: How to Strike a Legal Balance in Drafting and Enforcing Dress, Grooming, and Bathroom Use Policies," 12th Annual California Employment Law Update, The Westin South Coast Plaza, Costa Mesa, California, October 12, 2017
- "Comp Coast to Coast Workers' Compensation Strategies From a National Perspective," Hinshaw's Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 2013
- "General Principles of Workers' Compensation" and "Settlements & Return to Work Issues," Workers' Compensation Law & Practice Seminar, Sterling Education Services, Inc., Pasadena, California, October 2012
- "Total Disability/Vocational Strategies," CWCDAA 2012 Annual Summer Conference, Las Vegas, Nevada, June 2012
- "Utilization of the Vocational Expert in the Workers' Compensation Setting," VocEX 2011, Los Angeles, California, January 2011
- "Implementing Successful Surveillance to Defeat Fraudulent Claims," Council on Education Management, Los Angeles, California, May 2005
- "Employment Leaves," California Assisted Living Association Summer Trade Show and Conference, San Jose, California, June 2007
- "Recent Professional Liability Insurance Coverage Case Developments," Mid-Year Meeting of the Association of Professional Responsibility Lawyers (ARPL), San Antonio Texas, February 2004
- "*California State Auto. Assn. v. Parichan*: Transactional Legal Malpractice," Association of Defense Counsel of Northern California & Nevada, August 2001
- "Recent Developments In Lawyers' Professional Liability," The Lawyers' Club of San Francisco, September 1999
- "Vicarious Liability and Limited Liability Partnerships—Minimizing Personal Exposure For The Errors Of Others," The Lawyers' Club of San Francisco, May 1996
- "How Not To Get Sued For What Someone Else Didn't Do: Malpractice and Ethical Problems Arising When Lawyers Practice Together," Contra Costa County Bar Association, M.C.L.E. Spectacular, November 1995
- "Responding To Discovery," Long & Levit M.C.L.E., April 1995
- "Attacking The Pleadings," Long & Levit, M.C.L.E., October 1991

Publications

- Co-Author, "California's New Law for Debt Buyers," *MAPbulletin*, ACA International, January 2014
- "Insurers Beware: Implied Waiver of Defective Notice in Claims Made and Reported Professional Liability Policies," *Legal Ledger*, Vol. 7, No. 2, 1996; Reprinted as "Warning: Some Professional Liability Policies Leave Unwary Insurers on the Hook," *Insurance Journal*, November 11, 1996
- "Conflicts Checklist," *Legal Ledger*, Vol.1, No. 4, Spring 1990
- "Avoiding Vicarious Disqualification: An Ethical Barrier," *Legal Malpractice Report*, Vol. 1, No. 4
- "Facing The Inevitable: Do's And Don'ts For The Legal Malpractice Defendant," *Legal Malpractice Report*, Vol. 3, No. 1, 1991
- Co-Author, "Corporate Directors and Officers Liability, Insurance and Risk Management," The Attorney-Client Privilege, Executive Enterprises Publications Co., Inc., 1989