



## David A. Grossbaum

**Partner**  
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David Grossbaum concentrates his practice in the areas of professional liability defense and insurance coverage. He represents lawyers, real estate agents, insurance professionals, accountants, and securities brokers/registered representatives in liability cases.

In his insurance coverage practice, David has successfully litigated a wide variety of coverage and bad faith disputes.

David joined Hinshaw in 2005 to open the firm's Boston and Providence offices. He is a past leader of the firm's Insurance Services Practice Group and a past member of Hinshaw's Executive Committee.

Upon graduation from law school, he clerked with the Superior Court for the Commonwealth of Massachusetts. He was subsequently appointed as an Assistant District Attorney for Essex County, Massachusetts, where he argued cases in the Supreme Judicial Court and the Appeals Court of Massachusetts and tried jury cases. He also taught legal research and writing at Boston University Law School.

### Professional Affiliations

- American Bar Association (ABA)
  - Tort Trial & Insurance Practice Section
    - Insurance Coverage Litigation
    - Professional Liability Insurance Committee, Past Chair; Past Vice-Chair; and Past Newsletter Editor
    - Section of Litigation
      - Insurance Coverage Committee
        - Environmental Law Subcommittee, Past Co-Chair
- Professional Liability Underwriting Society (PLUS)
  - New England Chapter, Past Chair
  - *PLUS Journal*, Past Editor-in-Chief and Past Editor
- Rhode Island Bar Association
  - Insurance Committee

### Practices

Counselors for the Profession  
Litigators for the Profession®  
Professional Liability

### Industries

Insurance & Reinsurance  
Insurance Coverage

### Education

J.D., *magna cum laude*, Boston College Law School, 1985

- Member, Order of the Coif
- Associate Editor, *Massachusetts Law Review*, 1989-92

B.A., *cum laude*, University of Vermont, 1981

- Recipient, Award for Outstanding Scholarship in Philosophy

### Admissions

Massachusetts  
Rhode Island  
U.S. Bankruptcy Court  
U.S. Court of Appeals for the First Circuit  
U.S. District Court for the District of Massachusetts  
U.S. District Court for the District of Rhode Island



## Honors & Awards

- Selected by his peers for inclusion in *The Best Lawyers in America*® for Insurance Law, 2018 – 2024; Legal Malpractice Law – Defendants, 2024
- Recognized on the Super Lawyers list by *Massachusetts Super Lawyers* magazine, 2005 – 2020, 2022 – 2023
- Selected as a "Top Lawyer" for Professional Malpractice Non-Medical Defense by *Boston Magazine*, 2022
- Holds the AV® Peer Review Rating from Martindale-Hubbell, its highest rating for ethics and legal ability

## Representative Matters

His reported civil cases include:

- *In re TelexFree Sec. Litig.*, 626 F. Supp. 3d 253, 266 (D. Mass. 2022): Motion to dismiss in a liability case against a lawyer.
- *Arch Specialty Ins. Co. v. Colony Ins. Co.*, 590 F. Supp. 3d 395 (D. Mass. 2022): Summary judgment motion in a liability insurance coverage case.
- *Bourgeois v. Blue Cross Blue Shield*, 531 F. Supp. 3d 407 (D. Mass. 2021): Motion to dismiss a claim against a health insurance broker.
- *Optical Works & Logistics, LLC v. Sentinel Ins. Co.*, 525 F. Supp. 3d 295 (D.R.I. 2021): Motion *in limine* in a first-party insurance coverage case.
- *Gruber v. Hartford Accident & Indem. Co.*, Civil Action No. 18-10341-NMG, 2018 U.S. Dist. LEXIS 222132 (D. Mass. Aug. 27, 2018): Motion to dismiss in a liability insurance coverage and bad faith case.
- *Geovera Specialty Ins. Co. v. Poulton*, No. 16-432 WES, 2017 U.S. Dist. LEXIS 165539, at \*2 (D.R.I. Sep. 26, 2017): Motion to dismiss in a liability insurance coverage and bad faith claim.

## Presentations

- "A Lawyer's Duty of Technological Competence," Hinshaw & Culbertson LLP, Webinar, December 20, 2023
- "Papering the Deal: Getting the Best Settlement Agreement You Can," LMRM Conference, Virtual Event, March 2, 2021
- "Technology in Your Practice: Risks and Responsibilities," Practising Law Institute, Webinar, January 27, 2021
- "Successful Mediation Strategies," LMRM Conference, Chicago, Illinois, March 4, 2020
- "Three Does Not Have to be a Crowd: How Defense Counsel Can Serve Two Masters Well," LMRM Conference, Chicago, Illinois, 2019
- "Coverage Challenges for Defense Lawyers," LMRM Conference, Chicago, Illinois, 2018
- "Insurance Coverage Update," LMRM Conference, Chicago, Illinois, 2009 – 2017

## Publications

David writes and presents extensively on the topics of professional liability, risk management, and insurance coverage. His publications include:

- "Sharing Fees Between Lawyers – Lawyers' Lawyer Newsletter - Do it Right or Pay the Price," *JD Supra*, June 24, 2022
- "Lessons From Lawyer Fee-Sharing Agreements Gone Wrong," *Law360*, June 23, 2022
- Chapter Co-Author, "Professional Liability Insurance Issues," *MCLE: Massachusetts Liability Insurance Manual*, 2021 and 2022
- Chapter Co-Author, "Rhode Island," *50-State Survey of Legal Malpractice Law*, a collection of state-by-state articles on legal malpractice and related torts, American Bar Association, 2012



- Co-Author, "First Circuit Raises Troubling Questions: *Rosciti v. Insurance Company of the State of Pennsylvania*," *The Bankruptcy Strategist*, Volume 29, No. 7, May 2012
- "'Close' Might be Good Enough in Horseshoes, but Not in Notice Provisions: Courts Have Lately Required Strict Compliance With Notice Requirements," *Professional Liability Underwriting Society (PLUS) Journal*, February 2012
- Co-Author, "[Protecting the Innocent: Wrongdoing by one lawyer can affect insurance coverage for others](#)," *ABA Journal*, February 2012