



David E. Heiss

Partner

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For more than 25 years, David E. Heiss has defended his clients' interests in commercial, tort, insurance, reinsurance, and corporate litigation, domestically and abroad. Armed with extensive insurance coverage experience—including disputes in excess of \$100 million—Dave's insurance industry clients frequently turn to him for advice on first-party coverage disputes. He has also tried cases to verdict in numerous state and federal jurisdictions throughout the country.

In addition to helping his clients navigate complex property coverage issues, Dave counsels insurers on matters involving first-party commercial disputes, extended coverages, agent and broker liability, equipment breakdown coverage, builder's risk coverage, and bad faith. Recently, he used his diverse knowledge and experience to address his client's specific needs and concerns regarding the COVID-19 pandemic. He has also served as an arbitrator and an appraiser in significant loss disputes.

As part of his practice, Dave advises private-sector companies on a wide range of legal issues affecting all segments of their business, including insurance procurement, regulatory issues, and risk management.

Dave began his legal career with a Chicago-based boutique law firm. Before joining Hinshaw, he practiced for over two decades at Kanaris, Stubenvoll & Heiss, P.C., where he was a shareholder.

Honors & Awards

- Recognized on the Rising Stars list by *Illinois Super Lawyers* magazine, 2008 – 2010

Representative Matters

- Obtained summary judgment in favor of a large market of domestic and international insurers in a \$90 million first-party coverage dispute.
- Overturned the largest verdict in Tennessee history (\$204 million) and obtained judgment as a matter of law in the Court of Appeals regarding a High-Hazard Flood Zone Sub-limit issue which the Tennessee Supreme Court ultimately affirmed.
- Successfully obtained a defense verdict in favor of the insurer against its policyholder in an arson and fraud case.

Practices

Architects & Engineers Liability
Commercial Litigation
Insurance Agents & Brokers Liability
Professional Liability

Industries

Insurance & Reinsurance
Insurance Coverage
Insurer Litigation — Bad Faith/
Extra-Contractual
Reinsurance

Education

J.D., University of Illinois
Chicago School of Law, 1997
B.A., DePauw University, 1993

Admissions

Illinois
U.S. Court of Appeals for the
Seventh Circuit
U.S. Court of Appeals for the
Eighth Circuit
U.S. Court of Appeals for the
Ninth Circuit
U.S. District Court for the
Northern District of Illinois Trial
Bar
U.S. District Court for the
Northern and Southern
Districts of Illinois
U.S. District Court for the
Eastern District of Wisconsin



- Resolved an issue of first-impression concerning architect liability for implied warranties of inhabitability in favor of his client, which the Illinois Supreme Court ultimately affirmed.

Presentations

Dave speaks on the subject of property insurance coverage on multiple occasions. He has addressed coverage and bad faith issues arising from catastrophic events impacting the insurance industry, including the September 11, 2001 terrorist attacks, Hurricane Katrina, and the COVID-19 pandemic.

- Panelist, "COVID-19 Claims," Hinshaw's Webinar Series: Insurance Insights – What Insurers Need to Know in 2021, Virtual Event, April 22, 2021

Community/Civic Activities

- Arlington Heights Youth Athletic Association
 - Arlington Cowboys, Football Coach; Vice President
 - Arlington Cardinals, Baseball Coach