

## David J. Butler

### Partner-in-Charge

**Offices:** Columbus, Delaware

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DAVID BUTLER is the Partner-in-Charge of Taft's Columbus office and is a business trial lawyer, experienced representing companies in a wide range of complex, commercial legal matters, including class actions and multi-district litigation. David also represents plaintiffs in personal injury matters involving wrongful death or serious bodily harm.

### Representative Experience

- Member of the firm's special counsel group for the State of Ohio in the "national tobacco litigation," contributing significantly to the record setting \$10 billion settlement for the State of Ohio.
- Counsel in multi-district litigation involving claims of thousands of individuals exposed to a chemical in their drinking water ("C8") that has been linked to causing six serious diseases (including two types of cancer) in humans.
- Represents large Ohio state agency in two lawsuits, including a purported class action, seeking hundreds of millions of dollars of alleged premium overpayments.
- Represents an owner municipal power company against an EPC contractor in breach of contract case, seeking millions of dollars of "sunk costs" incurred by the owner to develop and construct a coal-fired power plant that was ultimately cancelled.
- Represented international lawn and garden company in successful enforcement actions involving Lanham Act violations and trademark/trade dress infringement.

### Practice Groups:

Crisis Management, Product Liability, Product Liability & Personal Injury, Class Action & Multi-Party Litigation, Privacy & Data Security, Litigation

### Bar/Court Admissions:

#### *Federal*

Northern District of Ohio, Southern District of Ohio, 6th Circuit Court of Appeals, U.S. Supreme Court

#### *State*

Ohio

### Year First Admitted to Practice Law:

1997

### Education:

University of Notre Dame Law School (1997), University of Notre Dame, B.A., cum laude (1994)

### Professional Affiliations / Recognitions:

AV Peer Review Rating (LexisNexis/Martindale-Hubbell), American Bar Association, Columbus Bar Association, Federal Bar Association, Ohio Super Lawyers Rising Star, Ohio Super Lawyers, Riverside Hospital Development Board, Best Lawyers in America®

- Represented international construction and consulting company in fraud and breach of contract lawsuit resulting in favorable ruling on summary judgment and ultimate favorable settlement.
- Represented international manufacturing company in prosecution of successful breach of contract lawsuit against supplier resulting in favorable settlement.
- Represented state university in successful defense of discrimination and 42 USC §1983 claims by ex-student.
- Represented surviving spouse and family members in wrongful death lawsuit resulting in substantial settlement and recovery.
- Represented mother in personal injury matter involving motor vehicle accident leading to premature labor resulting in substantial settlement and recovery.
- Represented large hospital system in substantial copyright infringement and breach of contract lawsuit resulting in favorable settlement.
- Appointed receiver by a state court and appointed special master by a federal district court in receivership and class action matters related to a multi-million dollar ponzi scheme; successfully collected millions of dollars for over 600 fraud victims as court-appointed receiver.
- Represented Fortune 1000 national fast food restaurant in substantial recovery from its insurer in coverage dispute.
- Representation of commercial photographer in copyright infringement case against large national companies.
- Represented Fortune 500 company in successful defense of a disappointed bidders' fraud and open meetings act challenge to the state award of an 8 year, \$45 million contract to provide electronic benefits transfer services to more than 450,000 Ohio food stamp recipients.
- Represented the Ohio Department of Insurance in the successful seizure and takeover of Ohio's leading medical malpractice insurer.
- Represented large hair salon and day spa in numerous matters successfully enforcing non-competition and non-solicitation agreements.
- Represented numerous minority shareholders of closely held corporations successfully in disputes involving a majority shareholder's breach of fiduciary duty, "squeeze-outs," self-dealing and unlawful oppression of minority shareholder rights.

- Represented various insurance company executives in professional negligence actions brought by the Ohio Department of Insurance.
- Represented municipal nonprofit corporation that owns and operates electric facilities in successful admiralty matter related to recovering substantial damages it incurred as a result of a barge accident on the Ohio River.
- Represented regional short-line railroad company in successfully defending decision of Ohio Rail Development Commission awarding contract for operation of state-owned rail line.

## Achievements and Awards

- AV Peer Review (Preeminent) Rated by Martindale-Hubbell
- Honored by *Best Lawyers in America* for Commercial Litigation Law (2014-2018)
- Listed as an Ohio *Super Lawyer* (2015-2017)
- Listed as a *Rising Star* by Ohio *Super Lawyers* (2005-2007, 2009, 2011-2012)
- Recipient, Columbus Bar Association Community Service Award (Under Age 36) (2004)
- Recipient, Business First's "Forty under 40" award for notable professional success and volunteer efforts (2004)

## Professional Memberships and Community Service

- Columbus Bar Association
  - Member, Judicial Screening Committee
  - Past Participant, Barrister Leadership Program
- Ohio Bar Association
- American Bar Association
- Federal Bar Association
  - President, Columbus Chapter (2013-2014)
- American Heart Association, Columbus Metro/Central Ohio Division of the Great Rivers Affiliate; Past President (2006– 2008); Board Member (2000 – Present)

## Speeches and Publications

- “All Majority Shareholders Should Be Aware of Their Responsibilities”  
*Columbus Business First*, October 27, 2006
- “With Law On Their Side, Businesses Should Fight Insurance Claim Denials”  
*Columbus Business First*, December 22, 2009

## **Other Professional Experience**

- Extern to the Honorable Justice Paul E. Pfeifer, Ohio Supreme Court
- Extern to the Honorable Magistrate Judge Barry S. Seltzer, United States District Court, Southern District of Florida