

David J. Yates

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David Yates defends clients in high-stakes litigation matters. He is regularly retained for complex cases involving catastrophic injuries involving premises liability, employment disputes, and trucking/transportation concerns. He is a member of the firm's Executive Committee and managing shareholder of the firm's Detroit office.

David serves as national trial and coordinating counsel for many companies, developing sophisticated claims management systems to handle high-volume, multistate litigation. His track record of high-exposure trial victories extends to state and federal courts of Michigan and Illinois.

He also brings extensive experience counseling clients in aviation, commercial, product liability and professional liability matters, helping businesses and public entities reduce the impact of litigation.

While he is well regarded for his courtroom presence, David understands that litigation and trial are not always in the client's best interest. He brings a level-headed approach to each matter, helping clients weigh the time and expense of litigation with the benefits of setting precedent. His decades of experience give him unique insight into how clients can best achieve their business goals.

When not on a trial, David leads in-house client seminars for insurance companies and self-insured companies, providing best practices and insights on trends in commercial property, employment, premises liability and transportation issues.

HONORS

- Leading Lawyer, 2015 – present
- Top Lawyers, *DBusiness* magazine, 2018 – present

PROFESSIONAL & CIVIC INVOLVEMENT

- DRI
- Homeless Experience Legal Protection (H.ELP.) Detroit
- Michigan Defense Trial Counsel
- Oakland County Bar Association
- Oakland County Legal Resources Center
- State Bar of Michigan

PRACTICE AREAS

- [Construction Litigation & Counseling](#)
- [Employment Litigation & Counseling](#)
- [Environmental](#)
- [First-Party Insurance Defense](#)
- [Insurance & Reinsurance](#)
- [Premises Liability](#)
- [Product Liability](#)
- [Professional Liability](#)
- [Toxic Tort / Hazardous Substances](#)
- [Transportation](#)

EDUCATION

- Wayne State University Law School, J.D., 1993
- University of Michigan, B.A., Communications, 1989

ADMISSIONS

- Illinois
- Michigan
- U.S. Court of Appeals for the Sixth Circuit
- U.S. District Court for the Eastern District of Michigan
- U.S. District Court for the Western District of Michigan

Practice Highlights

Representative Matters

- Secured an appellate win for a trucking client in the Michigan Court of Appeals.
- Successfully obtained defense verdicts or nominal verdicts well below pretrial demands in the last seven jury trials in state and federal courts.
- Obtained summary disposition on a serious injury case where a minor had a tip of his finger severed at a major fast-food franchise.
- Obtained summary disposition for a trucking client based on a lack of liability where the plaintiff entered the intersection on a green light but failed to ensure that the intersection was clear of vehicles.
- Obtained summary disposition on behalf of an auto auction by arguing that the plaintiff was more than 50 percent at fault for the accident when he stepped in front of a moving vehicle in an auction lane.
- Obtained summary judgment and dismissal on a claim with a demand in excess of \$100,000 after uncovering the plaintiff's fraudulent misrepresentations.
- Obtained attorney's fees on behalf of an insurer client for a transportation company based on the plaintiff's fraud in a personal injury claim.
- Obtained summary disposition on behalf of an insurer for a transportation company based on the plaintiff's fraud.
- Obtained a defense verdict in a logistics case in which the plaintiff claimed that a shoulder injury requiring surgery was caused when he was unloading a truck that had allegedly been improperly loaded by the defendant. The jury decided that the plaintiff had not proved that he sustained any injury related to this incident.
- Secured summary judgment for an insurance carrier client on behalf of a trucking company in a novel area of law where the plaintiff claimed entitlement to occupational accident benefits in excess of \$100,000 and at the same time obtained the right to recoup those benefits already paid.
- Successfully obtained order of denial of class certification on a major food contamination case.
- After appeal by the plaintiff, obtained summary judgment and award of attorney fees and costs on behalf of a mortgage broker who was sued by a wholesale lender in a commercial dispute.
- Granted summary disposition in a liquor liability case where an intoxicated, non-permissive user of a motor vehicle severely injured two children.
- Obtained summary disposition and an award of costs and fees from a third party for a commercial transportation client on a case with a seven-figure demand.
- As national counsel to a commercial property service company, a security services company and an aviation services company, created a cost-effective claims management system for handling multistate litigation.
- Successfully defended a local university on a whistleblower claim.
- Obtained summary judgment on a dental malpractice case.
- Negotiated a voluntary dismissal on a construction matter while motion for summary judgment was pending.
- Obtained summary judgment on a commercial property premises liability matter.
- Attained favorable resolution on a high-exposure product/warranty matter regarding a recalled product that was attracting national media attention.
- Obtained summary judgment on a wrongful death claim for a home health care hospital bed provider.
- Achieved summary judgment for a local manufacturing company on a wrongful discharge claim by an employee alleging retaliation.
- Obtained a defense verdict on a sexual harassment claim on behalf of a local university.
- Obtained defense verdicts in six premises liability trials with an award for clients' attorney fees on three.

News & Events

NEWS 05.27.22

David J. Yates and Kelly K. Glish Attain Appellate Court Win

NEWS 11.29.21

Preventing Nuclear Verdicts Before Arriving at the Courthouse

NEWS 02.10.21

Segal McCambridge Congratulates Its 2021 Leading and Emerging Lawyers

NEWS 03.20.20

COVID-19 and Families First

NEWS 01.24.20

Segal McCambridge Congratulates the 23 Attorneys Selected to the 2020 Leading and Emerging Lawyers Lists

NEWS 03.26.19

Michigan Attorneys Obtain Summary Disposition on a Threshold Motion Involving a Four-Truck Accident

NEWS 01.30.19

Transportation Law Client Alert: The Supreme Court's Decision in *New Prime v. Oliveira*

NEWS 05.01.18

Segal McCambridge Detroit Attorneys Successful on Appeal in Open and Obvious Defense Matter

NEWS 02.28.17

Michigan Shareholders David J. Yates and Eric P. Conn Secure a Defense Verdict in Trucking Case

NEWS 09.19.16

Spine Specialists of Michigan Ordered to Pay Attorney's Fees in Wayne County Case

NEWS 01.08.16

Two Michigan Shareholders Named Leading Lawyers

Publications

Speaking Engagements

- "Lawyers' Professional Liability: Michigan Law," CLE Seminar for CNA, 2013
- "The Web We Weave: Confirming and Collecting Deceit Through Social Media," co-presenter, CLE Seminar, 2012
- "Digging Deeper: Dissecting Daubert," co-presenter, CLE Seminar, 2010

Publications

- *Construction Litigation Desk Reference*, Michigan chapter, co-author, Defense Research Institute Defense Library Series, 2014
- *Navigating Michigan PIP Claims: A Quick Reference Guide to First Party No-Fault Law*, co-author, Segal McCambridge, 2013
- *Navigating Premises Liability in Michigan: A Guide to the Duties of Owners/Possessors*, co-author, Segal McCambridge, 2013
- *Construction Litigation Desk Reference*, Michigan chapter, co-author, Defense Research Institute Defense Library Series, 2010

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