



David P. Bender

Partner

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PRACTICES Litigation, Insurance Recovery, Hospitality

David P. Bender, Jr. is a partner in the Litigation Practice Group of Haynes and Boone. His practice focuses on recovering his clients' losses from their insurance companies and third parties who contributed to the loss and/or the third parties insurance companies. He also advises clients on all aspects of risk including risk management, risk mitigation and risk transfer. In the context of his counseling clients on risk, David advises governing bodies regarding governance issues and risk. His experience includes advising Directors, Officers and Trustees of both for profit and tax-exempt entities.

David has tried and litigated cases in multiple jurisdiction in both State and Federal Court as well as international arbitration forums. He has also represented numerous private and public entities in coverage disputes against insurance carriers and joint powers agencies. David has recovered losses sustained by his clients as a result of environmental contamination, property damage and business interruption, embezzlement, employment claims, construction defect and class actions. His clients include hospitality companies, financial intuitions, oil and gas companies, manufacturers, transportation companies, colleges and universities, hospitals, tax exempt entities, municipalities and special districts such as port, airport and Affordable Housing Authorities. David is a frequent presenter at Association of Corporate Counsel Chapters on insurance and risk management issues as well as the ACC Value Challenge.

David dedicates his pro bono work towards religious liberty issues, veterans and individuals with special needs.

QUALIFICATIONS

EDUCATION

- J.D., Southwestern Law School, 1985
- B.A., University of Notre Dame, 1978

ADMISSIONS

- California
- Texas

COURT ADMISSIONS

- U.S. District Court for the Central District of California
 - U.S. District Court for the Eastern District of California
 - U.S. District Court for the Northern District of California
 - U.S. District Court for the Southern District of California
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PUBLICATIONS AND SPEAKING ENGAGEMENTS

- "Investigating and Recovering for Asset Misappropriation," presenter, University of Santa Croce Church Management Program Webinar, May 5, 2020.
 - "Issues Regarding Additional Insured Status," author, *AHIA Briefly Speaking* (Academy of Hospitality Industry Attorneys newsletter), August 1, 2018.
 - "Top Risks for 2017," speaker, Association of Pacific Ports 2017 Winter Conference, January 2017.
 - "How To Maximize Insurance Recovery For Employee Crime," author, *Hospitality Lawyer Converge magazine*, October 11, 2013; *Law360*, October 30, 2013.
 - "Insurance Coverage For Hotels Facing Fungi and Bacteria Claims," co-author, *Hospitality Lawyer Converge magazine*, May/June 2013.
 - "Additional Issues: Maximizing Coverage for Additional Insureds," co-author, *Hospitality Lawyer Converge magazine*, March/April 2013.
 - "Attorney Conflicts of Interest: A Tool for Insurance Companies," co-author, *Enforce: The Insurance Policy Enforcement Journal*, Volume 7, Issue 1, 2009; *Corporate Counsel*, July 2009.
 - "Are America's Corporations Getting the Coverage They Pay For?," author, *D&O Advisor*, January 2003.
 - "Corporate Governance Best Practices: An Independent Analysis of Your Insurance Policies and Procedures," author, *D&O Advisor*, June 2003.
 - "Rescission: The Devil is in the Details Here's How Corporate America Can Find Him!," author, *D&O Advisor*, June 2003.
 - "Managing the Risk in the Outsourcing of Services," author, *Inside Supply Management*, September 2003.
 - "Rescission: the Devil is in the Details," author, *Enforce: The Insurance Policy Enforcement Journal*, Vol. 1, 2003.
 - "Public Entities Suffer a Perfect Storm of Insurance Problems," author, *Enforce*, Vol 3, Issue 2, 2005.
 - "The Neglected Role of Insurance in M&A," author, *The John Liner Review*, September 2005.
 - "Constructing a Solid Foundation as an Additional Insured," author, *The John Liner Review*, December 2005.
 - "The Battle Over Insurance Claims," author, *Builder & Developer*, July 2006.
 - "Reducing Liability through Strategic Risk Management Practices," author, *Today's Facility Manager*, May/June 2006.
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PROFESSIONAL AFFILIATIONS AND ENGAGEMENTS

- Director, John Paul II High School Board of Directors and Board Chair
 - Director, Board of Directors, Notre Dame School of Dallas
 - Chair, Board of Advisors for the University of Notre Dame Center for Ethics and Culture
 - Trustee and Chair for Holy Cross College Board of Trustees
 - Knights of Malta
 - Advisor to Church Management Program, Pontifical University of the Holy Cross, Rome
 - Legatus
 - Member of the Board of Directors, Los Angeles Fleet Week Foundation
 - Member, Academy of Hospitality Industry Attorneys
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HAYNES BOONE

- Former Chairman of St. Joseph's Health and Retirement Center Foundation
 - Former Director of the Board of Hospitaller Brothers Health Care of California, Inc.
 - Former President of Catholic Charities for Ventura County
 - Former Director, Board of Directors Boy Scouts of Ventura County
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AWARDS AND RECOGNITION

- *Martindale Hubbell Law Directory* with a Peer Review Rating of AV® Preeminent™