



David Dick

Partner

St. Louis
314 552 6142 direct
314 552 7000 fax
ddick@thompsoncoburn.com

PRACTICES

- Real Estate and Construction Litigation
- Construction and Development
- Business Litigation
- Product Liability
- Appellate
- Supreme Court of the United States

EDUCATION

- University of Missouri-Columbia School of Law, J.D., 1993, Note and Comment Editor, Missouri Law Review
- Westminster College, B.A., cum laude, 1990

ADMISSIONS

- Illinois
- Missouri
- Illinois USDC, Southern District
- Missouri USDC, Eastern District
- US Supreme Ct

REPRESENTATIVE CLIENTS

- Asset Living
- Mills Properties, Inc.
- Poettker Construction Company
- The Kansas City Southern Railway Company

David is a lead trial lawyer with a track record of success across a diverse array of claims, including various types of construction and real estate disputes, business tort, and significant property damage and personal injury cases.

Clients commend David for his cost-effective representation and his creative approach to resolving business disputes and lawsuits.

Over a 30-year litigation career, David has served as the first chair trial lawyer in a number of cases tried to verdict, and represented clients in state courts throughout Missouri and Illinois and in federal court. He has successfully tried a number of arbitrations through the AAA, and has handled dozens of mediations. In his work with clients, David frequently crafts smart, effective strategies that help companies solve problems and mitigate disputes long before lawsuits are filed.

David has represented contractors, owners, and lenders in construction disputes that have involved companies pursuing claims as a plaintiff and defending against damage claims and mechanic's liens. He has also advised clients on contracts and various other matters important to their ongoing business operations. David has represented real estate developers, multi-family owners and operators, and other commercial real estate interests in a variety of disputes and non-litigation matters. He has also handled various high exposure tort matters, including business tort, significant property damage, and personal injury and death cases, often representing the client in claims or communications with its insurer.

In one precedent-setting case, David developed a challenge in the trial and appellate courts to mandatory Missouri jury instructions interpreting a federal statute in a case he tried to verdict in 2003. That challenge culminated in a victory before the United States Supreme Court in 2007.

David sits on the Loss Prevention Counsel of the Firm's AI Task Force.

Experience

• Construction

David has won all of his arbitrations, has represented general contractor vs owner, GC vs subcontractor, owner vs contractor.

EMPLOYMENT

- Thompson Coburn LLP Partner, 2002-Present Associate, 1995-2001
- United States District Judge William D. Stiehl, Southern District of Illinois Judicial Clerk, 1993-1995

RECOGNITIONS

- Listed in The Best Lawyers In America® (by BL Rankings), 2019-2024

COMMUNITY

- Coaching many of his kids' basketball and baseball teams, 2003-2019
- LifeBridge Partnership (f/k/a St. Louis Society for the Physically Disabled), Golf Tournament Co-Chair, 2002-Present, Board of Directors, 1998-2013, President of Board of Directors, 2001-2003
- FOCUS St. Louis, Leadership St. Louis
- St. Louis Business Journal "40 Under 40" Award

He has prosecuted and defended mechanic's lien, performance bond, and payment bond claims.

Drafted and negotiated contracts on behalf of general contractor, form subcontracts and purchase orders.

Represented general contractor in both prosecution and defense of delay damage claims, change order claims, defective work claims, and other payment claims.

Successfully represented contractors and developers in lawsuits involving geotechnical, structural, and civil engineering issues.

• **Real Estate**

David won trial defending developer from \$26 million nondisclosure and construction defect damages claims where the plaintiff owner had already spent over \$5 million on repairs before trial.

Resolved condominium construction defect case through mass settlement involving conversion to apartments.

Represented multifamily owner where fire damaged large apartment building; CGL insurer paid claims of all residents, attorney fees, and property insurer rebuilt building, at zero cost to owner.

Litigated and mediated real estate disputes in variety of areas, including purchase and sale of land, multifamily properties, commercial leases, easements, lis pendens and equitable liens.

• **Tort Matters**

David has defended railroads and manufacturers involving subjects such as roller bearing design, railroad operations, metallurgical failure, grain elevators, conveyor products, vehicular collisions.

First chair trial experience in challenging venues ranked as "hellholes" in national publications.

Deposed, cross-examined, and developed for trial technical experts in a broad array of fields, including biomechanical, mechanical, geotechnical, and other engineers, medical doctors, appraisers, and economists.

Affiliations

- ABA Forum on Construction Law
- Defense Research Institute
- Missouri Bar Association
- Illinois State Bar Association