



DAVID B. KILLALEA

David Killalea is a founding partner of Gilbert LLP. David's diverse practice spans all aspects of insurance recovery, including litigation, complex multi-party negotiations and strategic counseling, as well as other commercial litigation.

David represents companies large and small in securing insurance coverage for their mass-tort and other liabilities through litigation in state and federal trial and appellate courts, mediations, arbitrations, and negotiations that often are highly complex and involve many parties.

David has represented debtor companies and corporate parents of debtors in several of the most hotly contested asbestos-related bankruptcy cases in the country. He has successfully litigated complex disputes at the intersection of insurance and bankruptcy law and has secured many tens of millions of dollars in coverage for bankruptcy debtors. David has unique experience in representing and advising companies who find themselves at the intersection of mass-tort liabilities, insurance disputes, and potential bankruptcy.

Examples of David's representations include:

- Recovered hundreds of millions of dollars in insurance for a large pharmaceutical company arising from asbestos-related and other products liability claims through litigation in federal and state courts, arbitration proceedings and insurer insolvency proceedings, and through complex, multi-party negotiations.
- Represent several manufacturing companies in litigation against dozens of insurers to recover hundreds of millions of dollars of losses incurred in connection with toxic tort claims arising from alleged environmental contamination, asbestos, silica and other products liability claims.
- Represent companies faced with securities and other litigation in recovering insurance proceeds from their insurers under D&O and other policies.
- Won landmark ruling in an asbestos-related bankruptcy holding that insurers have limited standing to participate in their policyholder's bankruptcy and object to the policyholder's bankruptcy plan.
- Through negotiation and litigation, assisted bankruptcy debtors in transferring insurance assets to the benefit of creditors, over insurers' objections, so the debtors can emerge successfully from bankruptcy.
- Served as lead insurance litigation counsel for an asbestos defendant, securing an approximately \$450 million settlement from a single insurer after extensive state and federal court litigation, bankruptcy litigation, arbitration, mediation, and unmediated negotiations involving numerous parties.
- Served as lead insurance litigation counsel for a post-bankruptcy trust, securing hundreds of millions of dollars from a single insurer.

Prior to joining Gilbert LLP, David litigated a broad array of matters at Dickstein Shapiro, initially as an associate and then as a partner. Among other things, David litigated a wide variety of commercial disputes, including intellectual property and contract disputes, labor and employment cases, defended targets in grand jury investigations, and defended individuals in criminal trials.

PARTNER

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EDUCATION

- 1988 — J.D., University of Virginia School of Law; Executive Editor, *Journal of Law and Politics*
- 1985 — B.A., Virginia Tech

BAR AND COURT ADMISSIONS

- District of Columbia
- Virginia
- U.S. Supreme Court
- U.S. Court of Appeals for the District of Columbia Circuit
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Fourth Circuit
- United States District Courts for the Eastern District of Virginia, the District of the District of Columbia, and the District of Maryland

PRACTICE AREAS

- Alternative Dispute Resolution
- Bankruptcy & Reorganization
- Complex Litigation
- Insurance

DAVID B. KILLALEA (CONTINUED)

NEWS

- *ACandS Asks Court To Vacate Insurance Arbitration Award*, Philadelphia, November 11, 2003

ARTICLES & PUBLICATIONS

- *Be Careful What You Wish For, You Just Might GIT It*, Law360, June 7, 2011
- *Financial Reform Bill Includes Significant New Incentives for Whistleblowers*, September 3, 2010
- *Potential Sale of Midland Estate*, April 2009

SEMINARS & EVENTS

- *Perrin Conferences' Asbestos Bankruptcy Conference*, Featuring a Judicial Roundtable on Bankruptcy Trusts, June 20, 2011