

## David S. Lynch

### Counsel

700 Louisiana Street  
Suite 4300 , Houston , TX USA 77002  
t 281.809.4098  
dlynch@kilpatricktownsend.com

### Services

Alternative Dispute Resolution  
Litigation  
Complex Commercial Litigation  
Construction & Infrastructure  
Construction Litigation

### Industries

Construction & Infrastructure



Dave Lynch is a trial lawyer who brings more than 30 years of experience to his practice and clients, and concentrates in insurance coverage and bad faith, on behalf of insureds, and complex litigation. Dave represents clients seeking to maximize available coverage for claims under a wide range of policies including general liability, auto liability, directors and officers, errors and omissions, builders' risk and commercial property policies. He handles claims directly against carriers on behalf of insureds and also assists injured parties in formulating their claims to trigger coverage under available insurance.

p>Prior to joining the firm, Dave was a Director in the Houston, Texas office of a well-established law firm where his practice included insurance and complex commercial litigation. He also clerked there while attending law school and joined as an associate upon completion of his law degree.

Dave is *AV Preeminent®* rated by Martindale-Hubbell.\*

### Experience

Obtained judgement that a contractor was obligated to provide a defense to its insured in a construction defect lawsuit and obtained judgment that the contractor had the right, under the circumstances, to select the law firm to defend him.

Obtained a ruling that Texas law applied to a policy issued to a Texas company even though the personal injury lawsuit was tried in another state and also obtained a ruling that Texas law permitted the insuring of the punitive damage awarded against the company in the other state.



Successfully represented a company faced with a \$16 million property damage loss where the underwriters initially denied coverage for the loss.

Assisted a public entity in establishing two wrap policies for two multi-million dollar construction projects.

Successfully represented a Texas company as private counsel in resolving a large products claim in another state where the insurance company, though providing a defense, disclaimed coverage for a significant portion of the loss.

Successfully represented a company in a \$4.5 million arbitration under a kidnap, ransom, and extortion policy to recoup money paid to obtain control of two shipyards in South America which had been taken over by employees claiming they were entitled to additional payroll benefits.

### **Education**

University of Houston Law Center J.D. (1984)

Texas A&M University B.B.A. (1981) *cum laude*

### **Admissions**

Texas (1984)

### **Court Admissions**

U.S. Court of Appeals for the Fifth Circuit

U.S. District Court for the District of Colorado

U.S. District Court for the Eastern District of Texas

U.S. District Court for the Northern District of Texas

U.S. District Court for the Southern District of Texas

U.S. District Court for the Western District of Texas

### **Professional & Community Activities**

State Bar of Texas, Insurance Section

Houston Bar Association

Defense Research Institute

Texas Bar Foundation, Fellow

### **Insights**



### Perspectives

A Dozen Legal Considerations for Drones

February 22, 2019

### Publications

Implementing a Drone Program for Construction Projects

August 25, 2017

### Events

A Potential Gap in Indemnity Coverage

September 15, 2016

### Events

Ethics of the Tri-Partite Relationship – The Right of Contractors to Select Defense Counsel Over Insurance

March 3, 2016

### Publications

Disqualifying Conflicts and the Right of the Insured to Select Counsel

July 24, 2015