



## David A. McFarland

Partner

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David A. McFarland's trial practice focuses on personal injury litigation, dram shop litigation, trucking accidents, premises liability, products liability, as well as construction defect matters. An experienced trial lawyer, David has represented clients in several hundred death and injury claims, which has created a solid foundation of experience.

David has defended hundreds of business owners in cases seeking recovery under a premises liability theory. In claims asserted under the Texas Dram Shop Statute, he has represented numerous store owners, bars, and restaurants. He continues to represent clients in high-exposure disputes involving construction defect and product liability allegations, in addition to suits asserting claims for inadequate security. David litigates lawsuits involving major transportation accidents throughout the state of Texas and regularly serves as lead counsel for companies facing multimillion dollar exposure.

David's health care clients have included hospitals, long term care facilities, practicing nurses and physicians, medical device manufacturers, and pharmaceutical companies. David has handled the defense of statewide, multi-claimant litigation for major pharmaceutical companies.

### Representative Experience

*Grajales v. Bil-Jax, Inc.*; Harris County, Texas. Defense verdict on behalf of client. Wrongful death products liability case in which Plaintiffs were seeking in excess of \$20 million.

*Siegel v. Yamaha*; Dallas County, Texas. Summary Judgment obtained on behalf of client. Judgment awarded to Plaintiff against Co-Defendants in excess of \$30 million.

*Goehring v. Kennedy Wire Rope and Sling Company, Inc.*; Duval County, Texas. Defense verdict on behalf of client. Wrongful death products liability case.

### Services & Industries

- Restaurants, Retail & Hospitality
- Products Liability
- General Liability
- Mass Torts
- Health Care
- Transportation

*Adkison v. Lantana Golf Club*; Tarrant County, Texas. Defense verdict on behalf of client; multiple fatalities in auto accident involving a drunk driver. Plaintiffs were seeking in excess of \$10 million under Dram Shop theory.

*Simonson v. Gepherd*; 225 SW 3rd, Dallas County, Texas. Successfully appealed trial court's order regarding Plaintiff's failure to file an adequate medical expert report.

*Morina v. Integrity Packaging, Inc.*; Harris County, Texas. Defense verdict obtained on behalf of client. Product liability case in which Plaintiff's arm was amputated while using a printing machine.

*Croghan v. Bounce Zone, Inc.*; Harris County, Texas. Premises liability case in which child allegedly sustained a Traumatic Brain Injury.

*Sullivan v. PCM*; Harris County, Texas. Inadequate security premises liability case in which Plaintiff was allegedly raped by tenant of apartment complex.

*Turner v. Integrity*; Tarrant County, Texas. Inadequate security premises liability case in which Plaintiff was raped by employee of apartment complex.

## **Education**

- Southern Methodist University Dedman School of Law (J.D., 1994)
- Texas Tech University (B.B.A., 1990)
  - Marketing

## **Bar Admissions**

- Texas, 1994
- Arkansas, 2006

## **Court Admissions**

- United States District Court, Northern, Southern, Western and Eastern District of Texas
- United States Court of Appeals, Fifth Circuit

## **Professional and Community Activities**

- Dallas Bar Association
- Southlake Carroll Independent School District Bond Committee
- Tarrant County Bar Association
- Member White Chapel Methodist Church

## **Professional Recognition**

- Named by *Law & Politics* magazine's *Texas Super Lawyers® - Super Lawyer, Corporate Counsel Edition* and *Business Edition* for Personal Injury Defense: General in 2010.
- Named by *Law & Politics* magazine's *Texas Super Lawyers® - Super Lawyer* for Personal Injury Defense: General 2009 - 2013.

- Named a *Rising Star* in *Law & Politics* magazine in 2004.
- Named one of the *Best Lawyers Under 40* by D Magazine in 2006.
- “AV” Peer Review Rated by *Martindale Hubbell*.

## Transportation

### Overview

David McFarland has served as counsel for numerous long haul trucking companies as well as safety device manufacturers in hundreds of catastrophic injury and wrongful death cases. He has also served as counsel for trailer and trailer component part manufacturers involved in accidents resulting in property damage and personal injuries.

### Representative Experience

- Defended catastrophic injury case for seatbelt manufacturer in Eastern District of Texas, Marshall Division. Confidential settlement was reached.
- Defended infant seat manufacturer in fatality accident. Confidential settlement was reached.
- Handled defense of driver for trucking company in personal injury matter in South Texas. Confidential settlement reached.