Weston Hurd LLP
Attorneys at Law

DANIEL A. RICHARDS



DANIEL A. RICHARDS is Weston Hurd's Assistant Managing Partner. He has more than 20 years of first chair trial and appellate court experience representing construction companies, hospitals, healthcare professionals, manufacturers, retailers and the insurance industry in Ohio's state courts and federal courts and throughout the United States. Whether handling complex multi-million dollar lawsuits or catastrophic injury cases, Dan's philosophy is the same - strive to achieve the most favorable and cost-effective result. His high record of success at both the trial and appellate level has earned Dan a reputation of being a go to attorney for Bet-the-Company litigation. Dan serves as national litigation counsel for clients in the construction and manufacturing industries. In addition, Dan is the Co-Chair of Weston Hurd's Appellate Litigation Section. He has tried cases around the country and has handled appeals in every appellate district in Ohio, the Ohio Supreme Court, the Sixth Circuit and the U.S. Supreme Court.

Dan is an AV-rated attorney by Martindale-Hubbell and has been named an *Ohio Rising Star* and an *Ohio Super Lawyer* by Thomson Reuters for his work in the area of business litigation.

Dan received his B.S. in Business from Miami University and his J.D. from Cleveland-Marshall College of Law where he was editor-in-chief of the *Journal of Law and Health*. He received his Ohio Bar admission in 1992.

Dan is a member of the Board of Trustees of the Ohio Association of Civil Trial Attorneys (OACTA), Chair of OACTA's Appellate Practice Section, former Chair of OACTA's Medical Malpractice Section, a member of the Federation of Defense & Corporate Counsel, a member of the Claims & Litigation Management Alliance, and a founding member of the Ohio State Bar Association's Appellate Practice Section. Dan has received OACTA's Distinguished Service Award

on multiple occasions for authoring the Amicus Curiae briefs in *Arbino v. Johnson*, *Robinson v. Bates*, *Jacques v. Manton* and *In re All Cases Against Sager Corp*. He has been the co-editor-in-chief of the OSBA's Appellate Practice editions of the Litigation Section newsletter and is a frequent presenter at CLE seminars on appellate practice, commercial insurance coverage and business litigation matters.

Since passing the bar in 1992, Dan has successfully defended and resolved over 500 civil lawsuits. Many of those matters were resolved via the summary judgment process, or dismissed without payment. Many of those matters were favorably settled. In addition, Dan has handled over 30 jury trials as well as numerous bench trials and binding arbitrations over his career as either lead counsel or in a second chair capacity, with over a 90 percent success rate. The following is a representative list of some of the most significant matters tried by Dan as first chair counsel:

- *Daralynn Yurkovich v. Dillard Department Store* (Lake County Common Pleas, 1998): Defended national department store in case where Plaintiff alleged herniated disc after being struck by a falling display shelf. Result: Defense verdict.
- *Lisa Black, Administratrix of Estate of Donnell Johnson, Deceased v. Parma Community General Hospital* (Cuyahoga County Court of Common Pleas, 2006): Wrongful Death/Medical Malpractice case alleging failure to timely diagnose and treat an aortic dissection resulting in death of 42 year old male. Result: Defense verdict.
- American Arbitration Association Arbitration, (Philadelphia, Pennsylvania, 2006): Successfully represented large construction company defending breach of contract and defect claims and pursuing delay and impact claims in multi-million dollar AAA arbitration lasting several months with over 45 hearing days concerning construction of an energy power plant in Central Ohio. Result: Obtained several million dollar settlement near close of evidence which compensated client for all losses, attorneys' fees and costs. (Name of parties and amount of resolution confidential).
- *Klocker v. Zeiger* (Cuyahoga County Court of Common Pleas, 2009): Defended Board of Trustees of Homeowners Association in protracted action for injunctive relief and damages. Result: Defense verdict.
- *Arrow Machine Co. v. Array Connector Corp.* (Lake County Common Pleas, 2010): Defended manufacturer in $2 million breach of contract dispute. Result: Defense verdict.
- *Cedric Brown v. Crawford Manor Health Care Center, et al.* (Cuyahoga County Court of Common Pleas, 2010): Wrongful Death/Medical Malpractice case alleging induction of coma and death as a result of overly aggressive administration of insulin. Result: Defense verdict.
- Multiple consolidated cases pending in West Virginia and Georgia courts and JAMS arbitration (2013): Represented large civil construction company in multi-million dollar litigation involving construction of large windmill plant on side of mountain in West Virginia. Result: Obtained award in favor of defense on all claims against contractor and obtained multi-million dollar recovery for client which compensated client for all damages sought plus attorneys' fees and costs. (Name of parties and amount of resolution confidential).

- *Ress v. Parma Community General Hospital* (Cuyahoga County Court of Common Pleas, 2015): Medical Malpractice case alleging permanent injury to hip and leg as a result of hip surgery. Result: Directed verdict.
- *Stevens Engineers and Constructors v. Ironworkers Local 17 Pension Fund* (United States District Court for Northern District of Ohio, 2015): Multi-week arbitration and subsequent arbitration enforcement action in U.S. District Court challenging $5 million assessment of withdrawal liability by the Board of Trustees of the Ironworkers Pension Fund against large construction company. Result: Obtained favorable arbitration award overturning assessment of withdrawal liability and obtained judgment from United States District Court affirming that award which was also affirmed by the Sixth Circuit Court of Appeals.

Appellate Experience:

Dan has handled in excess of 100 appeals in all of Ohio's Appellate Districts, the Ohio Supreme Court and in the Sixth Circuit with a success rate of over 80 percent. Dan has represented the interests of businesses, and the insurance, healthcare, retail and hospitality industries in the vast majority of those appeals, frequently submitting briefs as Amicus Curiae counsel upon the invitation of the Ohio Association of Civil Trial Attorneys, the primary civil defense organization in Ohio. A number of those cases have set important precedents in the State of Ohio, including the following Ohio Supreme Court decisions:

- *Stevens Eng'rs & Constructors, Inc. v. Local 17 Iron Workers Pension Fund, et al.,* No. 16-4098/4099, 6th Cir., 2017 U.S. App. LEXIS 25134
- *Pixley v. Pro-Pak Industries*, 142 Ohio St.3d 203; 2014-Ohio-5460
- *In re All Cases Against Sager Corp*., 132 Ohio St.3d 5; 2012-Ohio-1444
- *Bd. of Trustees of the Tobacco Use Prevention & Control Foundation v. Boyce*, 127 Ohio St.3d 511; 2010-Ohio-6207
- *Jacques v. Manton*, 125 Ohio St.3d 242; 2010-Ohio-1838
- *Arbino v. Johnson & Johnson*, 116 Ohio St.3d 17; 2006-Ohio-6362
- *Allen v. Johnson*, 100 Ohio St.3d 276; 2003-Ohio-5889
- *Cole v. Holland*, 76 Ohio St.3d 220; 1996-Ohio-105

Contact Information

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