



## David M. Ross

Partner

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David Ross has worked with clients to prepare and implement a comprehensive defense strategy in response to state and nationwide class actions and mass actions, commercial litigation, or other complex litigation or demands. He represents clients in all aspects of complex civil litigation before federal and state courts and in alternative dispute forums.

David has advised clients in advance of and while defending individual and class actions involving cybersecurity, product liability issues such as defective vehicles, improperly labeled food products, medical testing and improper packaging, and class actions involving privacy, consumer protection and improper care. He also has worked on recall procedures and served as the NHTSA-approved auditor for a manufacturer as part of a resolution with the government.

### **Commercial Litigation, Class and Mass Actions**

David cochairs the firm's Commercial Litigation and Class Action Defense practice teams. In his class and mass action practice, David works with clients in early resolution planning, dispositive motion and discovery strategies, and administration of the litigation throughout the entire case process. Representative cases involve data breaches, consumer protection structures, product liability, internet conduct, fraud, employment discrimination, and other labor offenses, statutory claims and common law claims. David works across disciplines to counter the complex claims that increasingly characterize class and mass actions, in many cases obtaining early dismissals of the named plaintiffs or defeating motions for class certification. In addition, David conducts alternative dispute resolution advocacy for clients, and advises clients throughout any class settlement and claims processes. David also conducts continuing education and informational presentations on class actions for the law firm, clients and other groups. In addition, David's practice has included white collar defense, compliance and insurance coverage litigation.

### **Cybersecurity & Data Breach Class Actions**

### **Services**

- Alternative Dispute Resolution
- Bankruptcy
- Class Action
- Commercial Litigation
- Cybersecurity & Data Privacy
- Directors & Officers Liability
- e-Discovery
- Financial Services
- Insurance & Reinsurance Coverage
- Contractual/Extra-Contractual Liability Litigation
- Life Sciences

David works with businesses, individuals and insurers to provide early privacy and data breach litigation planning, individual and class settlement or defense strategies, and comprehensive litigation management. David has represented defendants in data breach class actions in state and federal courts in jurisdictions throughout the nation, teaming with colleagues in Wilson Elser's regional offices to provide a timely and effective response to these actions. David and his team have pursued dispositive motion practice in numerous cases, resulting in beneficial precedent, including in issues of first impression. David has steered cases throughout the data breach class action process, and, when appropriate, successfully negotiated the resolution of class actions in the best interests of the client.

### **Investigations & e-Discovery**

David has propounded and responded to many discovery- and other litigation-related efforts, including third-party subpoenas and Freedom of Information Act and Privacy Act requests. Keeping abreast of the proliferation of electronic documents and the accompanying laws and requirements surrounding them, David has overseen numerous electronic and paper document collection projects and productions, privilege logs, personnel interviews and depositions, and online and paper document reviews.

### **Education**

- George Washington University (J.D., 1997)
  - High Honors; Order of the Coif, Moot Court Board, Journal of International Law and Economics
- McDaniel College (B.A., 1990)
  - cum laude, Phi Beta Kappa Honors Society, Phi Alpha Theta Honors Society, Pi Gamma Mu Honors Society, Academic All-American

### **Bar Admissions**

- District of Columbia
- Maryland
- Virginia

### **Court Admissions**

- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, Tenth Circuit
- U.S. Court of Appeals, District of Columbia Circuit
- U.S. District Court, District of Colorado
- U.S. District Court, District of Columbia
- U.S. District Court, District of Maryland
- U.S. District Court, Northern District of New York
- U.S. District Court, Eastern District of Virginia

- U.S. District Court, Western District of Virginia