

David F. McGonigle

Partner

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OVERVIEW

Dave McGonigle concentrates his practice in insurance coverage litigation and counseling, and served as practice group coordinator of the firm's Insurance Recovery and Counseling Group for over a dozen years. With more than three decades of experience assisting policyholders maximize the value of their insurance assets and manage strategic risk, Dave has handled a broad range of coverage matters. His experience includes coverage disputes in connection with advertising, asbestos, aviation, chemical exposure, environmental, errors and omissions, product recall, premises, and product liabilities and losses. Dave has served as lead coverage counsel in a variety of forums, including state and federal courts, federal bankruptcy courts, arbitration under the UK Arbitration Act, and private mediations. Dave also regularly counsels clients on insurance coverage and risk management issues, assisting them with corporate transactions and insurance coverage placements. Working in this capacity, Dave has analyzed policies issued by a wide variety of domestic, Bermuda and European insurers, and coordinated with a broad range of practice areas across our international platform.

PROFESSIONAL BACKGROUND

For more than a decade, Dave has been selected by his peers for inclusion in *The Best Lawyers in America* and has been awarded an “AV” rating by Martindale Hubble. He has also been ranked by *Chambers USA* since 2017 as one of the top lawyers for Insurance. In addition, Dave has been recognized by the BTI Consulting Group as a “Client Service All-Star,” an award based exclusively on input from corporate counsel. A frequent lecturer and author on insurance coverage and litigation practice issues, Dave has published dozens of articles, served as Recent Developments Editor of the *Journal of Insurance Coverage* (a quarterly publication of Aspen Law & Business published from 1998-2002), and has spoken widely at client, industry and bar association programs. Before joining the firm, he served as a law clerk to the late Honorable Gustave Diamond, United States District Judge for the Western District of Pennsylvania.

ACHIEVEMENTS

- Recognized by *Chambers USA* for Insurance in Pennsylvania, 2023-2026
- Recognized by *The Legal 500 United States* as a Recommended Lawyer for Insurance: Advice to Policyholders, 2024-2026

- Listed in *The Best Lawyers in America*® in Pittsburgh
  - Insurance Law, 2006-2025
  - Litigation - Insurance, 2023-2025

PROFESSIONAL / CIVIC ACTIVITIES

- American College of Coverage Counsel (Founding Member)
- Associate Member, RIMS, the risk management society®
- Local Rules Advisory Committee for the U.S.D.C. for the Western District of Pennsylvania (Past Member)
- Member, Board of Directors, St. Vincent College
- Knight, Sovereign Military Order of Malta, Federal Association
- St. Joseph's House of Hospitality (Past Vice President and Board Member)
- Catholic Charities of Pittsburgh (Recipient of “Champion of Justice” Caritas Award for Service)
- Knights of Columbus

EDUCATION

- J.D., Yale Law School, 1988 *(Chair, Yale Moot Court of Appeals)*
- B.A., University of Notre Dame, 1985 *(summa cum laude; Phi Beta Kappa; Beinecke Memorial Scholar; National Endowment for the Humanities Younger Scholar)*

ADMISSIONS

- Bar of Pennsylvania
- United States Court of Appeals for the Third Circuit
- United States District Court for the Western District of Pennsylvania

THOUGHT LEADERSHIP *POWERED BY HUB*

- 24 March 2020, COVID-19: Government-Imposed COVID-19 Restrictions May Trigger Insurance Coverage
- 29 September 2015, Better Late Than Never: The California Supreme Court Reverses Itself, Holding That Corporate Policyholders May Assign Insurance Rights Without Insurer Consent
- 20 August 2015, Maximizing Insurance Recovery for the Tianjin Port Explosions

OTHER PUBLICATIONS

- "8 (Not So Innocent) Questions to Ask Your D&O Insurance Advisors," *NYSE's Governance Insights newsletter*, 6 June 2016
- "Recent Developments: Asbestos Insurance Coverage: The Policyholder Secures a Key Victory in Fuller-Austin," *Journal of Insurance Coverage*, Summer 2002
- "Millions for Defense, Not a Penny for Tribute: *Lockwood International, B.V. v. Volm Bag Company, Inc.*," *Journal of Insurance Coverage*, Spring 2002
- "Look Before You Dig: An Overview of Insurance Principles that Should Guide Historical Insurance Policy Searches," presentation at The Future of Mass Tort Litigation in America, 22 March 2002
- "Insurance-Related Issues in the Context of Asbestos Bankruptcies," presentation at Mealey's Asbestos & Mold Insurance Conference, 14 March 2002
- "The Task of Rebuilding: The Important Role of Insurance," *Journal of Insurance Coverage*, Winter 2002
- "Long-Tail Successor Liability and the Right to Access a Predecessor's Insurance Coverage: Conflicting Responses from California Courts," *Journal of Insurance Coverage*, Autumn 2001
- "Coverage for a Municipality's Land Use Decisions: *New Castle County v. National Union Fire Ins. Co. of Pittsburgh*," *Journal of Insurance Coverage*, Summer 2001
- "Recent Developments: Coverage for Liability Arising out of After-Acquired Premises: Judicial Responses to *K F Dairies, Inc. v. Fireman's Fund Insurance Company*," *Journal of Insurance Coverage*, Spring 2001
- "Recent Developments: Illinois Supreme Court Rules on Trigger of Coverage in the Incorporation Context in *Travelers v. Eljer Manufacturing, Inc.*," *Journal of Insurance Coverage*, Spring 2001
- "Coverage for Liability Arising Out of After-Acquired Premises: *K F Dairies, Inc. v. Fireman's Fund Insurance Co.*," *Journal of Insurance Coverage*, Winter 2001
- "*Madison Construction Co. v. Harleysville Mutual Insurance Co.*: The Pennsylvania Supreme Court Takes Its First Look at the Absolute Pollution Exclusion," *Journal of Insurance Coverage*, Winter 2000
- "California High Court Hands Down Two Pro-Insurer Split Decisions on Environmental Coverage Issues: *Foster-Gardner, Inc. v. National Union Fire Insurance Co.* and *Aydin Corp. v. First State Insurance Co.*," *Journal of Insurance Coverage*, Winter 1999

NEWS & EVENTS

- 4 June 2026, K&L Gates Receives Nearly 235 Firm, Individual Rankings in 2026 *Chambers USA* Guide
- 5 June 2025, K&L Gates Receives More Than 240 Firm, Individual Rankings in 2025 *Chambers USA* Guide
- 6 June 2024, K&L Gates Receives More Than 200 Firm, Individual Rankings in 2024 *Chambers USA* Guide

- 1 June 2023, K&L Gates Receives Firm, Individual Rankings in 2023 *Chambers USA* Guide
- 18 August 2022, More Than 350 K&L Gates Lawyers Named Among 2023 Best Lawyers in America, Ones to Watch
- 1 June 2022, K&L Gates Receives Firm, Individual Rankings in 2022 *Chambers USA* Guide
- 19 August 2021, Nearly 300 K&L Gates Lawyers Named Among 2022 Best Lawyers in America, Ones to Watch
- 21 May 2021, K&L Gates Litigation and Dispute Resolution Practice, Lawyers Recognized in 2021 Chambers USA Guide
- 23 April 2020, K&L Gates, Lawyers Recognized in 2020 Chambers USA Guide
- 26 April 2019, Chambers USA 2019 Guide Ranks K&L Gates, Lawyers Among Leaders

AREAS OF FOCUS

- Insurance Recovery and Counseling
- Commercial Disputes
- Industrial Incidents
- International Arbitration

INDUSTRIES

- Manufacturing
- Specialty Chemicals

REPRESENTATIVE EXPERIENCE

- Appointed as Special Insurance Counsel to the Debtors in *In re Aldrich Pump LLC, et al.* (Bankr. W.D. NC. 2020).
- Lead counsel for an equity holder in connection with an asbestos-related bankruptcy that successfully reorganized with a mediated insurance settlement valued at in excess of $1.7 billion involving more than 40 insurers and competing policyholder claims.
- Lead counsel or counsel in over twenty matters in connection with insurance coverage disputes regarding asbestos bodily injury claims, with engagements ranging from large litigations involving dozens of insurers and hundreds of policies in multiple forums, to smaller matters, including matters successfully-resolved through smaller litigations and negotiations with strategically-targeted insurers.

- Lead counsel for a leading producer of industrial and chemical products in connection with first-party losses and third party coverage claims arising from fire and windstorm losses and claims arising from Hurricane Harvey.
- Lead counsel for a manufacturer of plumbing and flow-control building components in a complex insurance coverage dispute involving more than a dozen insurers that issued scores of insurance policies over more than a decade, which was mediated to a successful resolution with the majority of implicated insurers.
- Lead counsel for vacuum manufacturer, which established coverage for defense of false advertising claims and attendant patent infringement claims under commercial general liability insurance policies *(Indian Harbor Ins. Co. v. SharkNinja Operating LLC*, No. N20C-02-014 PRW CCLD (Del. Super. Ct. Nov. 19, 2020)).
- Lead counsel in confidential London arbitration under a Bermuda-form policy involving disputed insurance coverage issues in relation to an automotive products recall that was resolved successfully post-hearing.
- Lead counsel for a client that successfully pursued product recall coverage in connection with claims involving food product contamination.
- Lead counsel in connection with the pursuit of insurance coverage for allegedly defective construction material used in a major public infrastructure project, which resolved successfully following claim negotiations.