

David R. Osipovich

Partner

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OVERVIEW

Dave Osipovich is a trial lawyer, focusing on commercial litigation and arbitration involving complex contracts. Dave has successfully handled high-stakes litigation and arbitration involving commercial leases, commercial insurance policies, warehousing-services agreements, asset purchase agreements, supply contracts, construction contracts, joint ventures, joint development agreements, oil and gas royalty agreements, and intellectual property licensing agreements.

Dave's practice is national—he has represented both plaintiffs and defendants in state and federal courts in Pennsylvania, New Jersey, New York, Massachusetts, Maine, Montana, Missouri, Minnesota, Ohio, California, Arizona, Illinois, Indiana, Michigan, Oregon, Kentucky, Florida, Texas, Colorado, Nebraska, Oklahoma, and West Virginia. His clients include representatives of a wide variety of industries, including telecommunications infrastructure, food, aerospace, energy, healthcare, chemical manufacturing, and consumer manufacturing.

Currently, Dave serves as national litigation counsel for one of the country's largest telecommunications infrastructure companies. In that role, he has helped his client avoid litigation more often than not but has also successfully handled multiple lawsuits for claims such as breach of contract, rescission, ejectment, tortious interference, and fraud.

In addition to his commercial-client practice, Dave has an active pro bono individual-client practice focusing on prisoners' rights, malicious prosecution, excessive use of force, and illegally-excessive sentences.

ACHIEVEMENTS

- Recognized by *The Best Lawyers in America*® for Insurance Law in Pittsburgh, PA, 2025-2026

ADDITIONAL BACKGROUND

Dave holds a doctorate in Philosophy from Vanderbilt University. Prior to pursuing his legal career, Dave published a number of articles in peer-reviewed academic journals, and held tenure-track teaching positions at Marist College and Eastern Washington University. He has also taught Philosophy at Allegheny College and the College of William and Mary.

EDUCATION

- J.D., University of Iowa College of Law, 2009 *(Iowa Law Review, Trial Advocacy Team Captain)*
- Ph.D., Vanderbilt University, 2004 *(Philosophy)*
- B.A., DePaul University, 1997 *(Honors Program)*

ADMISSIONS

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

THOUGHT LEADERSHIP *POWERED BY HUB*

- 28 October 2019, Connecticut Supreme Court Affirms Continuous Trigger and Unavailability Exception, Makes First-In-The-Nation Law Regarding Occupational Disease Exclusion

OTHER PUBLICATIONS

- "*R.T. Vanderbilt* Clarifies Key Long-Tail Liability Issues of Connecticut First Impression," *American Bar Association*, 24 April 2017

NEWS & EVENTS

- 3 March 2023, 2023 Insurance Coverage Litigation Committee CLE Seminar, Hosted by American Bar Association
- 3 March 2022, K&L Gates Advises Vertical Bridge in $1.4 Billion Asset-Backed Securitization
- 24 February 2020, K&L Gates Names 41 New Partners Across Global Platform

OTHER MEDIA MENTIONS

- Mentioned, W.Va. Judge Says 3 Exclusions Do Not Bar Coverage For Chlorine Gas Damages, *Mealey's Insurance*, 30 November 2021

AREAS OF FOCUS

- Commercial Disputes

- Appellate Litigation
- Class Action Defense
- Insurance Recovery and Counseling
- Real Estate Litigation

INDUSTRIES

- Aerospace and Defense
- Consumer Goods and Services
- Energy
- Food, Beverage, and Agribusiness
- General Manufacturing
- Healthcare
- Manufacturing
- Specialty Chemicals
- Technology
- Telecommunication and Mobile
- Telecommunication Infrastructure

REPRESENTATIVE EXPERIENCE

- Obtained a seven-figure arbitration award for energy company in a dispute involving the breach of an oil-and-gas joint development agreement; defeated multimillion-dollar fraud counterclaim. Lead counsel.
- Obtained multimillion-dollar arbitration award for international food company in a dispute involving the breach of a warehousing-services agreement. Lead counsel.
- National Litigation Counsel for one of the country's largest telecommunication infrastructure companies. Lead counsel in a variety of state and federal cases, as both plaintiff and defendant, involving among other things breach of contract, tortious interference with contract, trespass, ejectment, easement-access rights, misappropriation of trade secrets, and civil conspiracy.
- Lead counsel representing Fortune 200 food company in litigation to obtain insurance recovery for nine-figure first-party property loss.
- Co-lead counsel representing Fortune 200 manufacturing company in international arbitration to obtain insurance recovery for nine-figure third-party bodily injury liability.

- Co-lead counsel representing Fortune 300 chemical manufacturer in litigation to obtain insurance recovery for nine-figure first-party property loss, as well as damages related to insurers' alleged bad faith claims handling. Primary drafter of successful motions for summary judgment establishing inapplicability of coverage-defeating coverage exclusions.
- Represented Fortune 300 chemical manufacturer in obtaining successful settlement of eight-figure insurance recovery litigation against multiple insurers, involving third-party benzene-related bodily injury claims. Co-lead counsel.
- Represented Fortune 200 food company in obtaining successful settlement of multimillion-dollar breach of contract litigation against international food supplier. Lead counsel.
- Represented telecommunications infrastructure company in obtaining successful settlement of multimillion-dollar breach of contract and fraud lawsuit against television broadcasting company arising out of M&A transaction. Lead counsel.
- Represented product development and innovation company in multiple-plaintiff consumer lawsuit for breach of contract and fraud; obtained arbitration defense award on all claims as to all plaintiffs. Lead counsel.
- Represented radiology physician practice in obtaining successful settlement of breach of contract and bad faith claims handling lawsuit against medical malpractice insurer. Lead counsel.
- Represented Fortune 200 food company in obtaining successful individual plaintiff settlement of TCPA class action. Co-lead counsel.
- Represented composites manufacturer in obtaining successful settlement of nine-figure insurance recovery litigation against multiple insurers, involving third-party environmental pollution liability related to Lower Passaic River Superfund site.
- Represented pro bono client in successfully settled lawsuit against police department and county jail for excessive use of force under Section 1983. Lead Counsel.
- Represented pro bono client in an appeal of a 25-year sentence arising out of a charge for possession with intent to distribute 1.5 pills of a controlled substance; won appellate ruling overturning sentence as illegally excessive, effectuating client’s early release from prison. Lead Counsel.