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EDUCATION

- J.D., University of California at Davis, 1979. First Place Team, U.C. Davis Environmental Law Moot Court Competition, 1977. U.C. Davis Representative and Second Place Appellate Brief, Roger J. Traynor California State Moot Court Competition, 1978.
- B.A., with honors, University of California at Davis, 1976.

COURT ADMISSIONS

- State of Texas
- State of California
- The U.S. District Courts for the Northern, Southern, Central, and Eastern Districts of California

BAR ADMISSIONS

- State Bar of California
- State Bar of Texas

DAVID T. BAMBERGER

SENIOR COUNSEL

David Bamberger is a Senior Counsel in the Dallas office of McKool Smith. Mr. Bamberger's practice focuses upon commercial litigation, patent infringement disputes, and insurance coverage, with particular emphasis on complex legal research and motion practice.

Before moving to Texas, Mr. Bamberger received a California peer-review rating of "AV" -- the highest rating available -- through Martindale-Hubbell.

Mr. Bamberger served as an Adjunct Professor of Law at Loyola University School of Law. He also wrote a successful amicus brief to the California Supreme Court on behalf of the Consumer Attorneys of California in *Covenant Care, Inc. v. Superior Court*, 32 Cal.4th 771, 11 Cal.Rptr.3d 222 (2004), a decision that facilitated the recovery of punitive damages in elder abuse cases. In addition, Mr. Bamberger presented a speech on "Avoiding Mandatory Arbitration Clauses" at the 1999 Winter Convention of the Association of Trial Lawyers of America.

REPRESENTATIVE MATTERS

Enron Corporation Creditors Committee. Mr. Bamberger is part of a team working on behalf of Enron's unsecured creditors against various defendants close to the Enron collapse.

Lockheed. *Lockheed Inc. v. Aerobotics.* Mr. Bamberger assisted in the firm's representation of Lockheed in a patent infringement dispute regarding non-destructive testing technology used to evaluate the structural integrity of aircraft.

Allcare. *Allcare Health Management Systems v. Highmark.* Mr. Bamberger is a member of the legal team representing Allcare in a patent infringement action concerning the comprehensive electronic management of health care systems.

ARTICLES

- "Standards and Timeliness in Medical Insurance Actions: The Insured's Perspective"
Whittier Law Review, Vol. 23, No. 3, January 2002
- "Enabling the Disabled: How to Pick, Plead and Prevail in a Disability Bad Faith Case,"
Lawyers Weekly USA, June 2001
- "Disabling the Disability Carrier: The Insurer's Top 10 Defenses and How to Defeat Them,"
CAOC Forum, January/February 2001,

- “Insureds' Health vs. Insurers' Wealth: Bad Faith in the Healthcare Industry,”
CAALA Advocate, January 2001
- “How to Pick an Insurance Bad Faith Case and Win It”
The Trial Lawyer - Journal of Strategy, Technique and Case Management, May/June, 2000,