

# David A. Landman

Partner



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## Practices/Industries

- Complex Business Litigation
- Class Actions
- Financial Services
- Governance Disputes & D&O Litigation

## Education

Binghamton University  
(B.A., *cum laude*, 2001)

Fordham University School of  
Law  
(J.D., *cum laude*, 2005)

## Overview

David Landman's practice focuses on complex commercial litigation. He has represented clients in federal and state court on a broad range of matters at both the trial and appellate level as well as in a variety of alternative dispute resolution forums. His experience includes business and securities litigation, accounting malpractice defense, false advertising and counterfeit Lanham Act cases, internal investigations, director and officer liability defense and First Amendment matters. David has significant class action experience, including representing defendants in consumer, deceptive trade practice, and securities class actions. David also represents numerous private equity, real estate, and financial services clients in various transactions and acquisitions.

## Experience

- Successfully obtained a complete dismissal with prejudice in a putative class action for violations of the Ohio Deceptive Trade Practices Act, Ohio Consumer Sales Practices Act, and both state and federal RICO claims.
- Served as counsel for plaintiff, a medical products distributor, in *Clinical Technology, Inc. v. NeuroTherm, Inc.*, Cuyahoga County, Ohio, Court of Common Pleas, case no. CV 12 789859.
- Represented a former officer and director of a bankrupt steel manufacturer in a \$150 million D&O lawsuit.
- Represented a senior executive of a global advertising agency in a breach of contract claim.
- Represented a consortium of nonprofit voter registration organizations in successfully obtaining an injunction in federal court in Florida finding a state voter registration law unconstitutional.
- Represented a multinational pharmaceutical company in successfully obtaining injunctions against counterfeit drug manufacturers around the world pursuant to the Lanham Act.
- Represented the directors of a large public corporation in a stock options backdating shareholder derivative and class action lawsuit.
- Represented credit card processors and issuing banks in a variety of litigation, including putative class actions and false advertising matters.
- Represented banks and investment firms in investment fraud litigation, Ponzi-scheme litigation, and state and federal receiverships.
- Represented a national fitness club chain in defense of a nationwide consumer class action to the club's membership cancellation policies.
- Represented a company in a multimillion dollar claim for breach of contract, improper application of liquidated damages, loss of efficiency, and added scope on a multi-story urban tower.

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## Experience (Cont)

- Obtained a favorable settlement for a large national bank in defense of a consumer class action lawsuit relating to interest rates charged on retail loans.

## Presentations

- “Doing Business in the U.S.: Litigation Risks,” Cleveland Clinic, Comtec Med - The 3rd Friends of Israel Urological Symposium (July 2016)

## Involvement

### Professional Affiliations

- Cleveland Metropolitan Bar Association
- American Bar Association
- Federal Bar Association

## Honors & Distinctions

- Named to *The Best Lawyers in America*, Commercial Litigation (2017-2021)
- Named to the Ohio Super Lawyers Rising Stars list (2016-2019)

## Admissions

- State of Ohio
- State of New York
- State of New Jersey
- U.S. Court of Appeals, Second Circuit
- U.S. Court of Appeals, Sixth Circuit
- U.S. District Court, Northern District of Ohio
- U.S. District Court, Southern District of Ohio
- U.S. District Court, Eastern District of New York
- U.S. District Court, Southern District of New York