



## **DAVID B. VAN ETTEN**

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### **BIOGRAPHY**

David Van Etten's practice focuses on employment law and complex commercial disputes in a broad spectrum of industries. A trial lawyer with more than 30 years of experience, Mr. Van Etten handles a wide variety of employment and commercial matters on a statewide and national basis. He has served as lead counsel in dozens of trials and arbitrations conducted in state and federal courts and arbitration tribunals in California, New York and Illinois.

Mr. Van Etten's experience in the employment area includes wage and hour class actions and single-plaintiff claims involving alleged wrongful termination, sexual harassment, employment discrimination, and discrimination charges before the California Fair Employment and Housing Department, and wage claims before the California Division of Labor Standards Enforcement.

Mr. Van Etten has extensive experience representing clients in complex commercial litigation including class actions, trade secrets claims, unfair business practice claims, shareholder, partnership and LLC member disputes, franchisee-franchisor disputes, banking, real property, insurance matters and Prop 65 issues.

Mr. Van Etten has represented some of the country's largest corporations including Principal Financial Group, Public Storage, Brown & Williamson Tobacco, Unocal, Boeing, Verizon Communications, Verizon Wireless, Ford Motor Company, Chrysler Corporation, Isuzu Motors, Countrywide Funding, Aetna, Allstate, Farmers, Westinghouse and Maritime Overseas Corporation.

Mr. Van Etten also serves as an arbitrator and mediator involving employment, commercial and real estate matters.

### **Professional Experience**

Mr. Van Etten previously was a partner with the international law firm McGuireWoods where he served as the Managing Partner of that firm's Los Angeles Office and the National Co-Chair of its 250-attorney Labor and Employment Department. He founded the Van Etten Suzumoto & Becket law firm which grew from three to 55 attorneys before merging with and becoming the Los Angeles Office of McGuireWoods. Mr. Van Etten also previously was a partner at the national law firm Pillsbury Madison & Sutro where he was Chair of that firm's Southern California Labor and Employment Department and National Chair of its Real Estate Litigation Department.

### **Admissions**

- State and Federal Courts in California and Illinois

### **REPRESENTATIVE MATTERS**

#### **Employment Disputes**

- Represented a food processing company against a race discrimination claim brought by a terminated employee. Following a two week jury trial in the Los Angeles County Superior Court, the case was resolved for nuisance value during jury deliberations after the jury returned a note indicating that it was likely to return a defense verdict for the employer.
- Represented a publicly traded self-storage company against race and religious discrimination claims brought by a terminated employee. Following a two week jury trial in the Los Angeles County Superior Court, the jury returned a defense verdict for the storage company.

- Represented a national tobacco company in a wrongful termination action brought against it by a terminated employee. Following several years of litigation, the employee voluntarily dismissed the case on the first day of trial in the United States District Court for the Central District of California.
- Represented a high-ranking corporate executive against a national medical supply company in a wrongful termination “whistleblower” action. The case settled for \$2.4 million shortly before trial.
- Represented a former employee against a national home healthcare company in an age discrimination action. The case settled for \$2 million shortly before trial.

### **Commercial Disputes**

- Represented a consumer products company in a breach of contract action in which the plaintiff distributor had sought \$10 million. Following a seven day jury trial in the Los Angeles County Superior Court, the jury returned a defense verdict for the company.
- Represented a consumer products manufacturer in a breach of contract action in which the plaintiff distributor had sought \$12 million. Following a six day jury trial in the United States District Court for the Southern District of New York, the jury returned a defense verdict for the company.
- Represented the managing member of a limited liability hotel company against claims for fraud, breach of fiduciary duty, and breach of contract. The plaintiffs (several other members of the LLC) sought \$25 million in compensatory damages, as well as punitive damages. Following a four-week jury trial in the Los Angeles County Superior Court, the jury returned a defense verdict for the managing member.
- Represented a family-owned manufacturing company against a national retail chain in a breach of contract action. The case settled for \$2 million before litigation was filed.

### **Professional Liability Disputes**

- Represented an architecture company in an architectural malpractice case involving the design of a multi-million dollar home. Following an eight day jury trial in Lake County (Illinois) Circuit Court, the jury returned a defense verdict in favor of the architecture company.

## **BACKGROUND**

### **EDUCATION**

Loyola University Chicago (B.A., summa cum laude, 1977)  
Georgetown University Law Center (J.D., cum laude, 1981)

### **Accolades & Affiliations**

Designated “Super Lawyer” from Southern California Super Lawyers (2004-2023)  
Rated AV Preeminent® Martindale-Hubbell Peer Review Rating