



# David M. Berke

## Member

## Los Angeles

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David focuses his practice on insurance coverage, with a secondary emphasis on complex litigation. An experienced litigator, David has extensive experience representing insurance companies in intricate employment practices liability (EPL), directors and officers (D&O), cyber liability, errors and omissions (E&O), and commercial general liability (CGL) insurance coverage disputes. David was also involved in privacy class actions under the California Invasion of Privacy Act and the Federal Wiretap Act/Electronic Communications Privacy Act. Before that, he spent several years with a legal malpractice defense boutique, where he skillfully protected the interests of major multinational law firms in a variety of contexts, as well as representing institutional clients with respect to insurance coverage and privacy issues.

While always willing to take a case to trial, David prides himself on successfully closing cases through strategic motion practice and, where appropriate, settlement negotiations. His notable achievements include prevailing on dispositive motions for insurers, law firms, and other large corporate clients. These decisions have come in a variety of contexts, ranging from the absence of coverage and/or failure to meet policy conditions to the mediation privilege, trade secret claims, issue preclusion, the statute of limitations, and anti-SLAPP motions. He has also skillfully and successfully handled related appeals, including but not limited to cases concerning coverage for class action habitability claims, coverage for class action invasion of privacy claims, and the enforceability of class action waivers.

David earned his J.D. from the University of California, Los Angeles School of Law, where he was selected for the Moot Court Honors program and was an editor of the *Journal of Law and Technology*. He earned his B.A. from California State University, Northridge.

### Practice Areas

- Insurance Coverage
- Casualty & Specialty Lines Coverage
- Bad Faith
- Privacy Litigation – Emerging Trends
- Professional Liability

### Industry Sectors

- Insurance

### Education

- UCLA School of Law, J.D., 2003
- California State University, Northridge, B.A., 2000

### Bar Admissions

- California

### Court Admissions

- U.S. District Court -- Central District of California
- U.S. District Court -- Southern District of California
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Supreme Court

### Awards & Honors

- Best Lawyers in America (Insurance Law) 2025

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