

David R. Lombardi, Esq.

Givens Pursley, LLP

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A broad range of individual and institutional clients has provided me with significant experience in civil trial and appellate litigation and the non-litigation resolution of problems and disputes. That experience provides the foundation for a practical, creative and seasoned approach to mediation.

Givens Pursley LLP, Boise, Idaho, September 1990 to Present. Partner.

Prior to focusing his practice on mediation and alternative dispute resolution, the greater part of my practice at Givens Pursley was devoted to major and complex civil litigation. This practice has included litigation overturning a State of Idaho award of \$60 million contracts for the statewide provision of broadband services to schools and state agencies, the dissolution and valuation of minority ownership interests in closely held businesses, the defense of claimed groundwater contamination in a case brought by the United States under the Safe Drinking Water Act, recovery of RCRA remediation costs by the City of Boise; recovery of greater than \$3.0 Million for a national bank in an insurance coverage dispute; the defense of multiple professional liability and negligence cases involving physicians, hospitals, attorneys and others; successful appeals resulting in the reversal of arbitrary administrative actions; and a variety of other litigated cases involving issues such as real estate and commercial transactions, government contracting, physicians' rights, personal injury and property damage and environmental compliance.

Imhoff & Lynch, Boise, Idaho, 1985 to September 1990. Partner.

While at Imhoff & Lynch, I successfully represented St. Luke's Regional Medical Center against medical malpractice and corporate negligence claims at the trial court and appellate levels in *Sparks v. St. Luke's Regional Medical Center, Ltd.*, 768 P.2d 768 (1989). I also represented the Bench Sewer District in the trial and appeal of a decision overturning a 50 year sewage service contract between the City of Boise and the Bench Sewer District on the grounds of public policy and commercial impracticability in *City of Boise v. Bench Sewer District*, 773 P.2d 642 (1989). In addition, I handled multiple claims involving negligence, hospital and physician liability, lender liability, trust administration, actuarial liability, ad valorem taxation and federal administrative law impacting wilderness mining claims subject to the jurisdiction of the United States Department of Agriculture and the Department of the Interior.

Langroise, Sullivan & Smylie, (Holland & Hart) Boise, Idaho, 1976-1985. Partner.

I began practicing with Langroise, Sullivan & Smylie and became a partner in approximately 1980. While at Langroise, Sullivan & Smylie, I handled a wide variety of commercial transactions and litigation matters including negligence, trust administration, banking, collection and professional liability claims, general corporate representation and right-of-way negotiation and documentation with the Coeur d'Alene tribe in northern Idaho. Langroise, Sullivan & Smylie merged with Holland & Hart of Denver, Colorado in 1985 after which I joined Imhoff & Lynch.

EDUCATION

University of Santa Clara, J.D., Magna Cum Laude, 1976.

Stanford University, B.A., 1971.

Straus Institute for Dispute Resolution, Pepperdine University, 2013

CERTIFICATION

Certified as a Civil Trial Specialist by the Idaho State Bar since 1996

PROFESSIONAL MEMBERSHIPS

Idaho State Bar - Admitted July 24, 1976

U.S. District Court - Admitted September 24, 1976

9th Circuit Court of Appeals - Admitted March 29, 1985

Idaho Mediation Association

Federal Bar Association

American Board of Trial Advocates (ABOTA)

American Inns of Court No. 130, President 2002-2003

Listed in *The Best Lawyers in America* since 2001

Listed as an *Idaho Superlawyer* since July 2007
Listed in *Chambers USA* since 2009, Band 1, Commercial Litigation

PRESENTATIONS

Professional Liability, Idaho Law Foundation, June, 1986.

Civil Trial Practice, Idaho Trial Lawyers, 1988 (also contributed chapter entitled *Pleadings to Civil Trial Practice Manual*).

Trial Advocacy in Idaho, National Business Institute, July, 1990.

Donated Wills, Non-Engagement and Other Ethical Potholes, Idaho State Bar, July, 1991.

Effective Motion Practice In Idaho, Lorman Education Services, June, 1992.

Taking Effective Depositions, Lorman Education Services, September, 1994.

Audio Teleconference EMTALA/COBRA, Catholic Health Corporation, January 23, 1996.

Taking and Defending Depositions, Idaho Law Foundation, February, 1997.

Panelist, *How to Respond to Unethical or Questionable Conduct*, November 1998.

Panelist, *Annual Conference*, Idaho Association of Medical Staff Services, 2000 and 2001.

Risk Management Issues and Liability Arising from Medical Staff Operations; Catholic Health Initiatives Risk Management Conference, Minneapolis, Minnesota, February, 2001.

Risk Management and Liability Issues Arising From Operations, Catholic Health Initiatives Conference of CEO's, Minneapolis, Minnesota, November, 2001.

Voir Dire, Idaho State Bar, February, 2002.

Effective Voir Dire, Idaho State Bar, June, 2003.

The Emergency Medical Treatment and Active Labor Act, Ada County Medical Education Consortium, January 7, 2004.

Panelist, *Legal/Ethical Issues Concerning Medical Decisions for Children*, Treasure Valley Continuing Nursing Education Network, Inc., January 12, 2004.

Panelist and presenter, *Successful Medical Malpractice Suits*, National Business Institute, October 31, 2007.

Speaker, *Motion Practice*, U.S. Courts District Conference 2011, *From Commencement to Appeal*, November 4, 2011.

Speaker, *Anatomy of an Environmental Crimes Trial: The Case of United States v. Cory King*, presentation to American Bar Association Section of Environment, Energy and Resources Environmental Enforcement and Crimes Committee, September 21, 2012.

Speaker, *Science and Litigation: Admission of Evidence and Working with Experts*, Idaho State Bar Environmental Resources and Natural Resources Law Section, January 15, 2015.

**COMMUNITY
INVOLVEMENT**

I am President and one of the founders of Idaho 2 Fly, Inc., an Idaho based 501(c)(3) organization that provides support and expense paid fly fishing retreats for Idaho men with cancer. I have also been a member of the Community Advisory Board of Boise State Public Radio, an NPR affiliate, since 2011 and am serving as Chairman of that Board for 2017/2018.