David D. Cardone

Description

Biography

David is a founding partner of Dunn DeSantis Walt & Kendrick, LLP. For two decades, his practice has focused on commercial litigation, professional liability disputes, and employment matters of all types. He regularly appears in California trial and appellate courts. He is known for his successful representation of clients facing high stakes litigation. David also regularly counsels businesses on strategic decision-making and risk management matters.

From 2006-2008, David served as one of six judicial law clerks to Justice Cynthia A. Baldwin of the Supreme Court of Pennsylvania. In that role, David worked on dozens of majority and collateral opinions, reviewed and recommended the disposition of scores of petitions for allocatur, which is the Pennsylvania Supreme Courtâ??s discretionary review mechanism, and attended over 100 oral arguments.

Prior to his clerkship, David practiced in both Pennsylvania and Los Angeles, where he was primarily involved in large-scale commercial insurance coverage dispute litigation.

Admissions

- Supreme Court of the United States
- All Courts of the State of Pennsylvania
- All Courts of the State of California

Education

- Duquesne University School of Law, J.D., 2003
- Research assistant to nationally-acclaimed constitutional law scholar and author Ken Gormley
- The Pennsylvania State University, B.A., Political Science, 1999

Focus Areas

- Claims Involving the Practice of Law
  - Legal Malpractice
  - Attorney Fraud
  - Attorney Conflict of Interest
  - Attorney Self-Dealing
  - Breach of Fiduciary Duty
  - Law Firm Overbilling
- Employment Law Claims
  - Sexual Harassment
  - Gender Discrimination
  - Pregnancy Discrimination
  - Disability Discrimination
  - Age Discrimination including replacement by younger employees or Artificial Intelligence (AI)
  - Wage and Hour Claims including unpaid wages, misclassification, unpaid overtime, missed meal or rest break
  - Executive termination and severance negotiation
  - Class Actions and PAGA Claims
- Business and Commercial Litigation
- Intellectual Property Disputes

Memberships and Activities

- State Bar of California
- State Bar of Pennsylvania

- San Diego County Bar Association
- The Association of Business and Trial Lawyers
- Associate, American Inns of Court, The Honorable William B. Enright Chapter
- Consumer Attorneys of San Diego
- Past Delegate, State Bar of California Conference of Delegates
- Association of Southern California Defense Counsel
- NAIOP Commercial Real Estate Development Association

Representative Matters

- Lead trial counsel on behalf of an employee with sexual harassment and wrongful termination claims against her former employer, which resulted in one of the top 50 labor & employment verdicts in the United States for 2023, following a multi-week jury trial in San Diego County.
- Recovered more than $125M in a confidential pre-litigation settlement on behalf of a client whose legal malpractice claim arose from prior litigation in California. Served as lead counsel, alongside Adam Yarbrough, also of DDWK, and in collaboration with Dan Stanford of Stanford & Associates. Believed to be the largest single-plaintiff legal malpractice recovery in California history and among the largest nationwide.
- Demonstrated history of recovering millions of dollars on behalf of women who have been subjected to pregnancy and gender-based discrimination or sexual harassment across Southern California over more than a decade.
- Obtained large recovery via confidential mediation for prominent Southern California real estate development firm in connection with legal malpractice claims against the developerâ??s former legal counsel after suffering a $19M loss in arbitration over construction delay claims.
- Settled substantial legal malpractice, breach of fiduciary duty and fraud claims against Southern California law firm, who previously represented a San Diego healthcare company, based on failure to disclose a conflict of interest.
- Recovered seven-figures on behalf of retired US Navy doctor and his wife in connection with legal malpractice claims against former counsel who mishandled a medical malpractice claim.
- Represented and recovered money for retired US Marine Corps veteran whose prior counsel failed to timely file personal injury claims for a career-ending injury.
- Successfully represented spouse of a prominent Bay Area construction executive in a legal malpractice claim where prior counsel failed to adequately prosecute a spousal support claim.
- Represented a San Diego-based general contractor in a dispute over delays in a complicated hospital construction project resulting in a large recovery for the contractor along with a waiver of all known and unknown claims against the contractor.
- Obtained a large recovery on behalf of a disabled Navy veteran who was denied access to a flight by a national airline.
- Participated in the successful opposition to a motion for class certification of a 1700+ plaintiff class action in which the named plaintiffs were independent contractors who claimed to be misclassified employees of a transportation management company. The Fourth District Court of Appeal affirmed, and the California Supreme Court denied review.
- Participated in the successful opposition to a motion for class certification of a large proposed class of property owners who, according to the named plaintiffs, were defrauded by parties involved in a coastal real estate development.

- Authored a successful motion to dismiss on the basis of forum non conveniens on the basis that California residents could not litigate in California courts claims involving real property located in Afghanistan, resulting in an order transferring venue to the courts of Kabul, Afghanistan.
- Defeated trial court defamation claims and subsequent appeals raised by a plaintiff against a San Diego-based law firm that had described trial court victories over that plaintiff in underlying litigation.
- Prosecuted an inverse condemnation claim on behalf of a San Diego restaurant group affected by construction in the Gaslamp District resulting in a substantial settlement for the restaurant.
- Authored and won a motion for judgment on the pleadings in an insurance coverage matter in which the critical issue of law was a matter of first impression for the Pennsylvania courts, the decision of which was not appealed.

Professional Recognition and Awards

- Selected by peers for inclusion in the 2021 - 2026 Best Lawyers in America in the field of Commercial Litigation
- Selected to Super Lawyers, 2024-2025
- Recognized in the San Diego Business Journalâ??s â??Best of the Barâ?• list
- Obtained one of the Top 50 Labor & Employment Verdicts in the U.S., 2023

Publications and Speaking

- David has authored legal articles on topics such as the First Amendment rights of third-party political candidates and an assessment of appellate practice as a distinct legal practice area. He regularly authors articles for the Association of Southern California Defense Counselâ??s Verdict magazine.
- David has taught advanced legal writing, trial tactics, and litigation tactics courses at multiple law schools, and he has been involved in judging numerous collegiate and law school mock trial and moot court competitions since 2003.
- David has been recognized as a Practitioner Contributor to the Abridged 9th Edition of Blackâ??s Law Dictionary. He volunteers for the San Diego Volunteer Lawyer Program and the Ninth Circuit Court of Appealsâ?? Pro Bono Program. David is actively involved in the Penn State and Duquesne University alumni associations and volunteers to counsel students interested in attending these schools.
- From 2011 through 2015, David served on the board of directors of the San Diego Defense Lawyers and as the editor of its quarterly publication, The Update.
- David presented an ethics continuing education event for Consumer Attorneys of San Diego "Navigating Ethical Obligations and Avoiding Legal Malpractice."
- David authored an article titled "Measure twice and cut once: Enduring lessons from the past teach attorneys how to responsibly use AI" that was published in the Daily Journal Top Professional Responsibility Lawyers 2026 Supplement on February 4, 2026.

- Davidâ??s article, "When the Feeding Hand Bites the Dogâ?• was published in the Daily Journal on July 2, 2026.