MASLONLLP



DAVID E. SUCHAR

Partner
Vice Chair of Firm Board of Directors and Executive Committee
Co-Chair of Construction & Real Estate Litigation Group

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OVERVIEW

David Suchar, a skilled trial attorney and former federal prosecutor, has represented clients in some of the most significant construction and insurance related matters in the country. He is a Fellow of the American College of Construction Lawyers and the American College of Coverage Counsel—one of three lawyers in the U.S. invited to join both organizations.

David was recognized by *Chambers USA* as one of six Minnesota lawyers ranked Band 1 for Construction (2026) and *Best Lawyers* as the 2026 Lawyer of the Year (top ranked attorney) for Construction Litigation in the Minneapolis region and 2027 Lawyer of the Year for Construction Law. He co-chairs Maslon's *Chambers USA* Band 1 ranked Construction & Real Estate Litigation Group. *Who's Who Legal/Lexology* named him one of nine U.S. attorneys to receive the 2026 Client Choice Award for excellence in construction law and described him as "an impressive trial lawyer whose practice spans the spectrum of construction matters from insurance to payment claims." David was also listed by Lawdragon in its 500 Leading Litigators in America ranking (2027) and Thomson Reuters® as a Stand-Out Lawyer (2026) based on its survey of more than 2,000 senior in-house counsel. David recently served as chair of The Trial Network, a professional network of trial lawyers from 22 leading law firms, including Maslon.

David has developed a niche national practice representing commercial policyholders in insurance coverage disputes, including on many of the largest construction projects and claims across the United States. Recent matters include the LaGuardia Airport Central Terminal Reconstruction Project (NYC); Las Vegas Raiders (Allegiant) Stadium; Seattle-Tacoma International Airport; Newark Liberty International Airport; Second Avenue Subway (NYC); claims on Millennium Tower, Transbay Transit Center, and Salesforce Tower (San Francisco) (winning summary adjudication on insurance case for the duty to defend on $12 million in legal fees); and the Florida International University bridge collapse (Miami). He frequently

AREAS OF PRACTICE

Litigation
- Business Litigation
- Construction & Real Estate Litigation
- Insurance Recovery
- Investigations & White Collar Defense

BAR ADMISSIONS

Minnesota

Illinois

U.S. District Court
- Minnesota
- Georgia, N.D.
- Illinois, C.D.
- Illinois, N.D.
- Indiana, N.D.

EDUCATION

Georgetown University Law Center
J.D., *cum laude*, 2002

DePaul University
B.A., *with high honor*, 1998

presents at conferences across the country on construction and insurance coverage issues, drawing from his experience on the Steering Committee for the ABA Forum on Construction Law's Division 7 (Insurance, Surety & Liens) and as contributing editor of *The Construction Lawyer*, the flagship ABA construction publication. David previously hosted the ABA's "Construction Law Today" podcast series, after appearing as a guest for its two-part podcast on Insurance Coverage Issues in Construction Litigation. In addition, he was lead co-author for the insurance chapter in the ABA's decennial *Construction Defects* book (2021) and authored several insurance chapters in the ABA's *Construction Checklists* book (2022).

David's prosecution and defense of substantive construction claims has included serving as lead counsel for the structural engineer for all construction claims on the Minnesota Vikings (U.S. Bank) Stadium Project; lead trial counsel for the EPC contractor on the Aurora Solar Project in Minnesota—at its time the largest solar project in Minnesota history; lead counsel for the University of Minnesota on claims arising out of the $110 million Northrop Auditorium remodel; lead counsel for Jacobs Engineering winning summary judgment dismissal of a $2 million personal injury lawsuit; and for numerous lien and payment claims through negotiation, arbitration, and trial.

As a former federal prosecutor, David has also counseled and represented clients at trial and through all aspects of various government, administrative, and internal investigations. His experience includes criminal prosecutions, inquiries, and subpoenas from state and federal agencies.

David's in-court experience sets him apart from the crowd. He has acted as first-chair trial counsel for a variety of bench and jury trials in courts across the country. In addition to his work in the areas of construction and insurance coverage litigation and government and internal investigations, David has successfully litigated various high-end contract and commercial litigation matters.

Before joining Maslon, David served as an Assistant U.S. Attorney at the U.S. Department of Justice and successfully represented the United States as lead counsel in hundreds of contested hearings, several trials in federal district court, and oral arguments in the United States Court of Appeals. Prior to his DOJ service, David was a member of the litigation practice group at Kirkland & Ellis LLP in Chicago. In between college and law school, David served as an AmeriCorps VISTA volunteer and grant writer at Habitat for Humanity. He serves on the Regional Advisory Board for Tickets for Kids, a nonprofit organization that provides free access for low income and at-risk kids to attend the arts, cultural, educational, and athletic venues in their communities.

SELECTED EXPERIENCE

- Lead counsel for large international structural engineering firm for claims related to design and construction of the $1.1 billion U.S. Bank Stadium project—the largest construction project in Minnesota history.
- Lead trial counsel for EPC contractor on claims related to the Aurora Solar Project—the largest solar project in Minnesota history.
- Lead insurance coverage counsel for claims related to Las Vegas Raiders Stadium.
- Lead insurance coverage counsel for claims related to the $4 billion LaGuardia Airport Central Terminal Reconstruction Project (NYC).
- Lead insurance coverage counsel for claims related to the International Arrival Facility at Seattle-Tacoma International Airport.
- Lead insurance coverage counsel for claims related to the Newark Liberty International Airport Terminal One Redevelopment Project.
- Lead insurance coverage counsel for international geotechnical engineering firm for claims related to Millennium Tower (winning summary adjudication on insurance case for the duty to defend on $12 million in legal fees), Transbay Transit Center, and Salesforce Tower (San Francisco).
- Lead insurance coverage counsel for national contractor for claims related to the FIU Bridge Collapse (Miami).
- Lead insurance coverage counsel for claims related to the $17 billion Second Avenue Subway Project in NYC.

- Lead insurance coverage counsel for claims arising out of University of Iowa Children's Hospital Project and claims.
- Lead insurance coverage counsel for claims arising out of Holiday Inn Magnificent Mile project claims (Chicago).
- Lead insurance coverage counsel for large national engineering firm for claims related to the Kendall Generating Station Project (Cambridge, MA).
- Lead insurance coverage counsel for claims arising out of Cambridge, MA, Parking Garage collapse claims.
- Lead surety and bonding counsel for national contractor for claims related to the $900 million Vista Tower Project (Chicago).
- Lead insurance coverage counsel for mechanical engineering firm for claims related to the NSA's $1.2 billion Utah Data Center project.
- Lead counsel for the University of Minnesota for claims related to the $110 million renovation of the Northrop Auditorium.
- Lead counsel for national contractor winning dismissal of lawsuit for claims related to construction of the Groveland Terrace Condominium—Minneapolis.
- Co-lead counsel for the investigation of Monterrey Security, former security provider for the Minnesota Vikings.
- Lead counsel for a Fortune 500 international engineering, architecture, and construction firm, obtaining complete summary judgment dismissal of approximately $2 million personal injury lawsuit involving allegations of design negligence. Summary judgment order was not appealed. (Minnesota State Court, Fillmore County, 2015).
- Counsel to a Fortune 500 engineering, construction, and fabrication company, as Plaintiff in multi-district federal lawsuits pursuing insurance coverage and bad faith claims related to a $600 million construction project. Case settled after partial summary judgment victory on key liability issue. (United States District Court, Middle District of Louisiana, 2014).
- Counsel for disaster recovery, restoration, and remediation company securing multimillion-dollar insurance recovery as a result of contested claim on CGL policy related to construction of a curtain wall at a hurricane-damaged hotel.
- Insurance coverage counsel for large contractor for claims related to design and construction of Rolls Royce airplane engine facility (Virginia).
- Insurance coverage counsel for large concrete contractor firm for claims related to construction of the Silver Spring Transit Center (Washington, DC).
- Lead insurance coverage counsel for class action radon exposure cases brought against regional housing contractor (West Virginia & Maryland).
- *E.I. du Pont de Nemours & Co. v. Medtronic Vascular, Inc.*, N10C-09-058 (Delaware Superior Court, New Castle County). Obtained complete summary judgment dismissal of approximately $250 million licensing and royalty lawsuit relating to the sale of products used in coronary angioplasty procedures. Summary judgment was subsequently affirmed by the Delaware Supreme Court.
- *Farmers Cooperative Company v. Rembrandt Enterprises, Inc.*
  Trial counsel for Rembrandt Enterprises, Inc., a privately held, leading agribusiness and food company in week-long bench trial in Iowa state court. Obtained complete trial victory in a breach of contract case in which plaintiff sought $7 million in damages.
- Trial counsel for a leading automotive supply company in a week-long bench trial seeking $200 million in wage and benefit concessions from employees and retirees represented by the United Auto Workers and United Steel Workers. Following trial and just prior to the court issuing its ruling, client consensually obtained all of the labor cost reductions it sought at trial.
- Lead trial counsel for property dispute, winning maximum statutory damages award after bench trial in D.C. Superior Court.
- Lead counsel for the United States in numerous cases in the United States Court of Appeals for the Eleventh Circuit, including *United States v. Calleja-Sabino* (2009) (argued), and *United States v. Moses* (2010) (argued).

- Lead trial counsel for the United States in several criminal federal trials in the United States District Court in Atlanta, Georgia.
- Counsel for the United States in successful 34-defendant wiretap investigation and prosecution including court ruling in *United States v. Rodriguez-Alejandro*, 664 F. Supp. 2d 1320 (N.D. Ga. 2009) (upholding several Governmental searches and seizures as constitutional). Indictments in the case were announced at an Atlanta press conference by then-U.S. Attorney General Michael Mukasey.

LEADERSHIP & COMMUNITY

- Maslon LLP: Board of Directors and Executive Committee Vice Chair 2023-Present, Board Member 2022-Present
- American College of Construction Lawyers: Fellow 2024-Present
- American College of Coverage Counsel: Fellow 2024-Present
- American Bar Association: Forum on Construction Law; Co-Chair, 2024 Midwinter Meeting, Power Play: Game-Changing Strategies for Power Projects, Las Vegas, NV; "Construction Law Today" Podcast, Host 2022-2025; Steering Committee for Division 7 (Insurance, Surety, and Liens) 2018-Present; *The Construction Lawyer*, Contributing Editor and Editorial Board Member 2015-2018
- Tickets for Kids: Regional Advisory Board 2019-Present
- The Trial Network: Executive Committee 2019-2024 (Immediate Past Chair 2024, Chair 2023, Vice Chair 2022, Treasurer 2021, Secretary 2020, Officer at Large 2019); Program Review Committee 2018; Board of Directors 2017-Present
- Associated General Contractors of America: Member, Contract Documents Forum; Member, Contract Documents and Risk Management Committees; Presenter, AGC's 2017 Risk Management/Surety Symposium (Contractor Additional Insured Protections); Task Force Member on AIA 2017 A201 General Conditions and Owner-Contract Agreements

SELECTED HONORS

- **Ranked Band 1 in *Chambers USA: America's Leading Lawyers for Business***, Construction, Minnesota, 2024-2026; ranked 2018-2026
- ***Who's Who Legal/Lexology,* One of Nine U.S. Attorneys to Receive the 2026 Client Choice Award for Construction/Highly Recommended**, 2026; **Recognized as One of Eight U.S. Global Elite Thought Leaders (Client Choice-Construction),** 2025; **Recommended,** 2024; **Global Leader,** 2023; **Future Leaders,** 2019-2022
- **500 Leading Litigators in America**, Lawdragon, 2025-2027, for Construction, Commercial Litigation, Insurance, and Investigations
- **Recognized as Thomson Reuters® Stand-Out Lawyer,** 2024-2026 (*Based on Thomson Reuters® survey of more than 2,000 senior in-house counsel for client satisfaction, client advocacy, and legal skills.*)
- **Legal 250:** Construction Law, *Minnesota Lawyer*, 2026
- **The Power List (formerly the Power 30)**: Construction & Real Estate Law, *Minnesota Lawyer*, 2023-2025 (*The Power List is a regular feature that examines the power brokers who lead and influence various parts of the Minnesota legal community.)*
- **Selected for inclusion in *The Best Lawyers in America*®**, 2021-2027, Lawyer of the Year for Construction Litigation in Minneapolis, 2026; Lawyer of the Year for Construction Law, 2027
- **Recognized on Minnesota Super Lawyers® list**, 2020-2026 (*Minnesota Super Lawyers® is a designation given to only 5% of Minnesota attorneys each year, based on a selection process that includes the recommendation of peers in the legal profession.*)
- **Recognized on Minnesota Rising Stars list as part of the Super Lawyers® selection process**, 2014-2016 (*Minnesota Rising Stars is a designation given to only 2.5% of Minnesota attorneys each year, based on a selection process that includes the recommendation of peers in the legal profession.*)

- **Recognized as a Top Lawyer**, *Minnesota Monthly*, 2022-2023 (The research for the Top Lawyers list, created by Professional Research Services, is based on an online peer-review survey sent to all attorneys in Minnesota.)
- **Pro Bono Award,** for commitment to pro bono service and specifically for pro bono work representing the state of Minnesota in the prosecution of Derek Chauvin for the murder of George Floyd, Maslon LLP, 2022

SELECTED PRESENTATIONS

- "The First 48," panelist, 2026 Annual Conference, American Bar Association Forum on Construction Law, 2026
- "Multiple Claims on Project-Specific Professional Liability Policies," American College of Construction Lawyers, 2026
- "Betterment in Construction," host, Construction Law Today Podcast, American Bar Association, 2025
- "Mega Project Insurance: Navigating Multiple Claims Risks on Project-Specific Professional Liability Policies," 11th International Society of Construction Law Conference, Seoul, 2025
- "The Conundrum of Succession Planning," panelist, The Trial Network, Nashville, TN, 2025
- "Multiple Claims Provisions in Project Specific Professional Liability Policies: Legal Battles in the Construction Context," American Bar Association Forum on Construction Law Hot Topics Presentation, 2025
- "The Project Owner's Book," host, Construction Law Today Podcast, American Bar Association, 2025
- "Revolution in the Making: The Role of AI and Machine Learning in Design and Construction," co-presenter, American College of Construction Lawyers, St. Petersburg, FL, 2025
- "Ethical Obligations of the Construction Lawyer," Building Better Construction Contracts 2024, Practising Law Institute, New York City, 2024
- David Suchar Hosts Latest Episode of American Bar Association's Podcast "Construction Law Today" Featuring Mediator Nancy Holtz
- David Suchar Hosts Latest Episode of American Bar Association's Podcast "Construction Law Today" Featuring Arlan Lewis
- "Interplay between General Liability and Professional Liability Coverages in Complex Claims," panelist, WTW Construction Risk Management Conference, Denver, CO, 2024
- "Construction Defects: Insurance Coverage," American Bar Association Forum on Construction Law, 2024
- David Suchar Serving as Program Co-Chair for ABA Construction Forum Meeting in Las Vegas
- "Ethics and the Construction Lawyer," Building Better Construction Contracts, Practising Law Institute, 2023
- "Opening Statement by The Trial Network Chair," "Closing Argument by The Trial Network Chair," Napa Litigation SuperCourse, The Trial Network, 2023
- "You Be the Judge – Mock Oral Arguments on Commonly Litigated Construction Defect Coverage Issues," panelist, WTW Construction Risk Management Conference, Plano, TX, 2023
- "Recruiting and Retaining Talent in a Hybrid Work Environment," panelist and conference chair, Trial Network Member Symposium, Denver, CO, 2023
- David Suchar and Peter Doely Present at American Bar Association Forum on Construction Law Annual Meeting
- "Young Lawyers Division: Lunchtime Chat with Firm Leaders," panelist, American Bar Association Forum on Construction Law Annual Meeting, 2023
- "Ethics and the Construction Lawyer," Building Better Construction Contracts, Practising Law Institute, 2022
- David Suchar Presents "Lessons Learned: The FIU Pedestrian Bridge Collapse" at the American Bar Association Forum on Construction Law Fall Meeting in Memphis, 2022
- "The Latest on Construction Defect Claims and Insurance Implications," co-presenter, Construction Risk Management Conference, WTW, 2022
- "Early Dispute Resolution," host, Construction Law Today Podcast, American Bar Association, 2022
- "Blockchain, Smart Contracts and Cryptocurrency: Addressing Litigation Risks," moderator, Litigation Management SuperCourse, The Trial Network, 2022
- "Ethics and the Construction Lawyer," Building Better Construction Contracts, Practising Law Institute, 2021

- David Suchar Featured in the ABA's Construction Law Today Podcast on Insurance Issues in Construction Litigation Part 2
- "SAY WHAT? A Discussion of the Interplay among Modern Communication Tools and a Lawyer's Ethical Obligations," Forum on Construction Law Midwinter Meeting, American Bar Association, 2020
- "Construction Law: Ethical Challenges," Building Better Construction Contracts, Practising Law Institute, 2019
- Conference Co-Chair, Mission: Possible — Winning Strategies for Litigation Management, Network of Trial Law Firms, 2019
- "Navigating Insurance Coverage Disputes: Strategies Promoting a Successful Voyage for Policyholders," Litigation Management in a New York Minute – 2019 Edition, Network of Trial Law Firms, 2019
- Conference Chair, Litigation Management in a New York Minute Seminar, Network of Trial Law Firms, 2019
- "The Intersection of Insurance Coverage Issues and Underlying Claims in Construction Meditations: Perspectives from the Mediator and Coverage Counsel," American Bar Association Webinar, 2019
- "Handling Insurance Coverage Disputes: How to Win Your Case as a Policyholder," In-House Super Course, ACC Minnesota, 2019
- Handling Insurance Coverage Issues that Arise in Construction Mediation, Public Construction Projects: Not Always a Hollywood Ending, American Bar Association Forum on Construction Law Division 7, 2019
- "Ethical Challenges and Duties of Appointed Counsel," Building Better Construction Contracts, Practising Law Institute, 2018
- Conference Co-Chair, Litigation Management: In-House Counsel Facing the Music, The Network of Trial Law Firms, 2018
- Conference Co-Chair, Products Liability SuperCourse, ACC Minnesota and The Network of Trial Law Firms, 2018
- "Incident Management: From Initial Complaint to Litigation," 7th Annual ACC Minnesota In-House Counsel Conference, 2018
- Litigation Management: Overcoming the Ocean of Complaints, Trials and Motions – A Concentrated Curriculum for In House Counsel Managing Litigation, chair, The Network of Trial Law Firms, 2018
- "Insurance Requirements are A Chang'in – New Insurance Requirements in the New AIA A201 and Updates to the ConsensusDocs Insurance Provisions," 99th Annual AGC Convention, Associated General Contractors of America, 2018
- "Construction Law: Ethical Challenges," Building Better Construction Contracts, Practising Law Institute, 2017
- Conference Chair, Litigation Management: Coasting Beyond The Chaos, The Network of Trial Law Firms, 2017
- "What Keeps In-House Counsel Up at Night and What Can Outside Counsel Do About It?" moderator, Litigation Management: Coasting Beyond The Chaos, The Network of Trial Law Firms, 2017
- "Additional Insured Endorsements: What You Need to Know as a Construction Lawyer," ABA Forum on Construction Law, 2017
- "When it makes sense to breach a contract," Contracts in Context II, ACC Minnesota, 2017
- "Getting to the Heart of the matter: How to Quickly Identify the Key Features of an Additional Insured Endorsement," 2017 Conference on Surety Bonding and Construction Risk Management, Associated General Contractors (AGC), 2017
- "Real Estate & Construction Insurance: Basics, Tips and Traps," Construction and Real Property Sections, Maryland State Bar Association, 2016
- "Whose Law Is It Anyway?" In-House Counsel Finding Sanctuary, The Network of Trial Law Firms, 2016
- "Tying Up the Loose Threads: The Significant Roles that Third Party Administrators Play in Today's Insurance Programs and the Legal and Practical Questions Their Activities Can Raise," 2016 Conference on Surety Bonding and Construction Risk Management, Associated General Contractors of America, 2016
- "Anatomy of a Bad-Faith Case: Litigating Multi-District, Multi-Defendant, Large-Scale Construction-Related Insurance Coverage and Insurer Bad-Faith Cases," Construction SuperConference, 2015
- "A Primer on ConsensusDocs," presented to the Society of American Registered Architects, 2015

- "Anatomy of a Bad Faith Case: Litigating Multi-District, Multi-Defendant, Large Scale Cases," Insurance Law Institute, Minnesota CLE, 2015
- "ConsensusDocs vs AIA: What's New Post-2007 and How Do They Compare?" Construction SuperConference, 2014

SELECTED PUBLICATIONS

- "What To Know About Project-Specific Professional Liability," co-author, *Law360*, 2026
- Quoted in "Tariff worries force firms to rethink contracts," *Construction Dive*, 2025
- Quoted in "Market headwinds force owners to hit the brakes on EV projects," *Construction Dive*, 2024
- Featured in "Exhibits," *Super Lawyers Minnesota* magazine, 2023
- Featured in "Meet a Network Member: David Suchar," The Trial Network, 2023
- "Blockchain, Smart Contracts, and Cryptocurrency: Addressing Litigation Risks," The Trial Network, 2022
- "Checklist 44: CGL;" "Checklist 45: Additional Insured Coverage;" "Checklist 48: Builder's Risk Insurance" *Construction Checklists, Second Edition: A Guide To Frequently Encountered Construction Issues*, American Bar Association, 2022
- "Insurance Coverage for Negligent Construction and Defective Design," co-author, Construction Defects, Second Edition, American Bar Association, 2021
- "Insurance May Cover Commercial Losses," *Engineering News-Record*, 2021
- "COVID-19 Business Interruption Insurance Coverage: The Threshold Trigger of 'Direct Physical Loss or Damage' & Other Considerations," co-author with Jim O'Connor, *JACCL (Journal of the American College of Construction Lawyers)*, Thomson Reuters, Winter 2021
- "Coronavirus Insurance Claims for Right Now," LinkedIn, May 13, 2020
- "Policyholders May Win Round 2 of the Coronavirus Fight: Coronavirus Insurance Claims and the CGL Policy Pollution Exclusion," LinkedIn, March 31, 2020
- "A Trap for the Unwary Contractor: The New AIA Insurance Exhibit and Its Most Confounding Requirements," co-author, ABA Forum on Construction Law, *Under Construction*, Vol. 19, No. 3, 2018
- Chapter 19 "Duties of Appointed Defense Counsel: Ethical Challenges," Building Better Construction Contracts 2016, Practising Law Institute, 2016
- Note, "Anatomy of a Bad Faith Case: Litigating Multi-District, Multi-Defendant, Large Scale Cases," Insurance Law Institute, Minnesota CLE, 2015
- "Procedural Issues," co-author, Sixteenth Survey of White Collar Crime, 38 *Am. Crim. L. Rev.* 1151 (2001)