

# David (Duff) Beach

## Partner

San Francisco

## Details

[T 415.772.5708](tel:415.772.5708)

[F 415.989.1663](tel:415.989.1663)

[dbeach@coblentzlaw.com](mailto:dbeach@coblentzlaw.com)



David “Duff” Beach is a commercial litigator with a focus on construction, contract, unfair competition, and trust and estate litigation. He regularly litigates matters for clients in real estate development, engineering and design, energy, and financial services industries. As former in-house counsel for Bechtel Corporation, he has extensive experience in engineering, procurement, and construction work, and has represented both contractors and owners in construction, tort, and environmental contamination cases. He has appeared in all manner of proceedings, from state and federal trial and appellate courts to mediation, arbitration, and in front of regulatory bodies.

Duff strategically guides clients through the litigation process, including effective pleading, efficient discovery and e-discovery, targeted motion practice, alternative dispute resolution, trial, and appeal—always with a view towards finding the right opportunity to successfully resolve the client’s claims effectively and efficiently.

Duff has actively represented pro bono clients for two decades. His pro bono work has included election protection, domestic violence restraining order, and representing military reservists in civil claims regarding active duty deployments. The Lawyers Committee for Civil Rights of the San Francisco Bay Area and the Legal Aid Society of San Mateo County have both recognized him for his pro bono work.

Prior to law school, Duff served on active duty as a U.S. Army Air Defense Artillery officer in South Korea and with the 101st Airborne Division in Kentucky. During and immediately after law school, Duff continued to serve in the Army Reserve, including activation in support of Operation Iraqi Freedom.

Duff earned his J.D. from the University of California College of the Law, San Francisco (Hastings) where he was a member of the *Hastings Constitutional Law Quarterly*. He earned his B.A. in Sociology from the University of Wisconsin-Madison.

## Notable Representations

Represented the owner of an NBA team and its developer in the successful resolution of litigation with general contractor regarding stadium redevelopment project.

Represented an industrial design firm in successful resolution of a royalty dispute with a former business partner regarding design and development of a consumer product line.

Represented contractor in successful resolution of dispute with energy company over industrial site demolition project.

Represented homeowner in successful resolution of claims against former contractor for a multi-million dollar home construction project.

Represents owner in litigation against its former general contractor regarding EPC construction project for a first-of-its-kind medium density fiberboard manufacturing plant.

Represents beneficiary in 8-figure claim for breach of fiduciary duty against trustee.

Represented homeowner in successfully resolving privacy and land use dispute in residential neighborhood.

Won an emergency injunction at the Ninth Circuit Court of Appeal resulting in the favorable settlement of a National Guardsman's claim against the Department of Defense for unlawfully denying his separation from the service.

Successfully defended global EPC contractor, achieving a total defense verdict in a multi-billion dollar arbitration claim.

Represented contractor in a 7-figure multi-party tort jury trial, and achieved a directed verdict in contractor's favor.

Successfully defended a global consulting firm in fraud, racketeering, and breach of contract suits brought by private and public clients regarding SaaS installations. Won motions to dismiss fraud and racketeering claims.

Defeated class certification on behalf of a multinational technology company in 75 purported indirect purchaser class actions in federal Multi-District Litigation in Delaware; defeated a billion-dollar spoliation motion in underlying competitor antitrust claim.

Defended major tomato processor in direct and indirect purchaser class actions, competitor claims, and Department of Justice investigation into alleged price-fixing, bid rigging, and racketeering in the tomato paste industry.

Defended large energy provider in antitrust and unfair competition claims relating to the California energy crisis. The unfair business practice claims were dismissed based on preemption and the filed rate doctrine, and affirmed on appeal to the Ninth Circuit.

## Honors & Awards

The Lawyers Committee for Civil Rights of the Bay Area recognized Duff with its 2010 Keta Taylor Colby Pro Bono Award for his commitment to representing low-income litigants. The San Mateo Legal Aid Society has several times recognized Duff for his pro bono work establishing restraining orders for domestic violence victims.

## Professional Activities

Duff is a member of the California Bar, the American Bar Association, and the Bar Association of San Francisco.

## Publications & Speaking Engagements

- [“Five Lessons All Companies Can Learn From The Equifax Data Breach”](#) (September 2017)

## Education

- J.D., University of California College of Law, San Francisco (2003)
- B.A., University of Wisconsin-Madison (1996)