
David (Duff) Beach

Special Counsel
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Details

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David “Duff” Beach believes good litigation first requires understanding the big-picture issues a client needs to resolve, then communicating and collaborating with the client to reach a just, efficient, and business-appropriate result. Duff’s commercial litigation practice focuses on construction, contracts, land use, and privacy. He has extensive experience in breach of contract, fraud, unfair business claims, antitrust, and class actions for a wide range of clients, including in the real estate development, engineering and design, energy, technology, and consulting fields. 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 for a successful resolution.

Before he joined the firm, Duff managed a diverse litigation portfolio while in-house at Bechtel Corporation. There, he successfully defended the company, achieving a zero award, in a multi-billion dollar engineering and construction arbitration, had primary responsibility for the company’s first jury trial in over a decade, resolved a long-pending toxic seepage claim, and managed the company’s 30-state mass tort defense. Duff was also litigation counsel at Bingham McCutchen LLP where he focused on antitrust, business practices, class actions, and appeals in the technology and natural resources sectors. Additionally, he first-chaired six jury trials while on assignment to the San Francisco District Attorney.

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, Hastings College of the Law and served as the Symposium Editor for the Hastings Constitutional Law Quarterly. He earned his B.A. in Sociology from the University of Wisconsin-Madison.

Notable Representations

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.

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.

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 a large American 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 filed rate doctrine, 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, Hastings College of the Law (2003)

B.A., University of Wisconsin-Madison (1996)