

Daniel P. Schrader

Partner
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PRACTICE AREAS

Appellate
Construction
Design Professionals
Employment Litigation
General Liability
Professional Liability
Toxic Tort Liability
Transportation

EDUCATION

Southwestern Law School, JD
California State University, Long Beach, BA

BAR ADMISSIONS

California
US District Court, Central District of California
US District Court, Northern District of California
US District Court, Eastern District of California

Overview

Dan Schrader is a seasoned trial attorney with over 30 years of experience litigating a variety of complex legal matters. Dan has tried numerous cases to verdict with a practice focus on professional liability, construction law, employment law and general liability.

Dan's selected experience includes a jury trial defense verdict for an engineering professional in a commercial design case with the verdict affirmed on appeal. Dan tried a complex construction case to a defense verdict as the lead defense attorney with a resulting attorney's fee award against the plaintiff that was affirmed on appeal. He also successfully tried an extensive business dissolution case to verdict that was affirmed on appeal with the California Supreme Court and United States Supreme Court denying review. He has litigated cases as diverse as False Claims Act violations to employment discrimination claims. Dan has obtained trial and arbitration verdicts in a number of other cases in jurisdictions throughout California.

Dan's prior experience working his way through college and law school in the construction industry and restaurant business has greatly assisted in his working knowledge of the law when advising clients in those respective fields. He provides general counseling advice to professionals, contractors and businesses in risk management, contract negotiations and liability assessment. Dan is active in the Professional Liability Underwriting Society studying emerging trends in cyber liability and other professional risks.

A Wisconsin native, Dan is an avid Green Bay Packers fan and on weekends enjoys playing golf, doing his best not to ruin a good walk.

Experience

+ *City of Huntington Beach v. Red Onion Restaurant* – Secured a defense verdict in a First Amendment and nuisance case involving an alleged obscene bar promotion that purported to violate a city ordinance. We convinced the jury that city ordinance acted as a prior restraint on free speech.
+ *Kelly v. McDonald's Corporation* – Favorable jury verdict in a strict product liability and negligence trial arising out of a food product contaminated with a blood-stained bandage with claims of fear of

contracting HIV illness.

+ *Abram v. Casa De Fruta Corporation* – Represented the defendant, a restaurant owner, in San Benito County Superior Court for an action regarding negligence and a violation of the Americans with Disabilities Act (ADA). A trial verdict was entered in the client's favor on the negligence claim with a finding of a technical violation of the ADA requiring upgrades of physical premises to ensure compliance with functionality standards.
+ *Butler v. Aaron Medical Industries, Inc*. – Medical device and product liability jury trial in United States District Court, Northern District wherein the plaintiff sustained burns as a result of a fire during an eyelid surgery using the defendant's cauterizing device. The case also involved issues regarding the Federal Tort Claims Act and immunity.
+ *Borel Private Bank & Trust v. Alain Pinel et. al.* – Obtained a defense verdict for the lead defendant contractor in a designated complex litigation involving allegations of construction defect damages and intentional acts. A post-trial verdict of attorney's fees was awarded against the plaintiff, and the verdict and fees were subsequently affirmed on appeal.
+ *Oneto v. KHR Associates* – Secured a defense verdict entered in favor of civil engineer as the design professional where the plaintiff alleged breach of contract and fraud arising out of the development of a multi-use super service station. The defense verdict was upheld on appeal.
+ *Cardinalli v. Monterey Checker Transportation, Inc.* – Successfully secured a defense verdict for a taxi company and corporate directors in a business dissolution, employment and breach of fiduciary duty jury trial. The defense verdict was subsequently appealed by the plaintiff. The verdict was upheld on appeal in the Sixth Appellate District with the California Supreme Court and United States Supreme Court denying review.
+ *Schrader v. Torres* – A jury trial for personal injuries to a family member resulting from an attack by two Rottweiler dogs. The jury entered a favorable verdict awarding damages and injunctive relief for the client in San Diego Superior Court.
+ *Kirk v. Menaged* – Represented the lead defendant developer/contractor in a designated complex litigation construction defect case involving a custom single family residence. During trial, the court granted a dispositive motion in our client's favor.
+ *Cardinalli v. Coniglio* – A business dissolution and employment case in Monterey County Superior Court representing the plaintiff shareholder and employee of a bar/lounge enterprise. Following trial the court ordered dissolution of the business, injunctive relief and additional equitable relief to the client.

Recognition

+ Martindale Hubbell AV-Preeminent Rated

Involvement

+ American Bar Association
+ Professional Liability Underwriters Society

+ Claims and Litigation Management Alliance

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