

**David L. Young**

Shareholder  
youngd@lanepowell.com  
206.223.7749



**Areas of Practice**

David Young is a Certified Public Accountant with an active legal practice focusing on securities, corporate governance, and director and officer matters. He has extensive experience managing complex commercial litigation with an emphasis on securities litigation. He has a wide range of experience that includes director and officer liability, class action defense and banking litigation. He has substantial experience representing broker/dealers in FINRA, NASD and NYSE customer disputes, regulatory investigations and non-competition agreement disputes. David also serves as counsel and advisor to businesses across a broad spectrum of industries. David was also named a “Rising Star” for 2002-2010 by *Washington Law & Politics* magazine and a “Future Star” by *Benchmark Litigation* 2009-2011.

**Professional Experience**

Judicial Clerk, United States District Court for the Western District of Washington  
Certified Public Accountant  
Law Clerk, Washington State Office of the Attorney General  
Accountant, Washington State Department of Social Health Services

**Admitted to Practice**

Washington  
United States District Court, Western District of Washington  
United States District Court, Eastern District of Washington

**Academics**

University of Michigan Law School (J.D., *cum laude*)  
*Michigan Law Review*  
Asian Pacific American Law Students Association  
Washington State University (B.A., *magna cum laude*, Business Administration - emphasis in Accounting)  
President’s Honor Roll  
Honors Program  
Golden Key National Honors Society  
Vice President, Beta Alpha Psi National Accounting Fraternity

**Practice Group and Specialty Team Memberships**

Class Action Defense  
Litigation  
London  
Securities  
Securities Litigation  
Sustainability and Climate Change

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## Representative Litigation Matters and Clients

### Representative Securities Matters

*Federal Home Loan Bank of Seattle v. Morgan Stanley & Co., Inc.*, No. 09-2-46348-4 (King County Superior Court (Wash.)) (defended client against claims for violation of Washington Securities Act in connection with sale of mortgage backed securities).

*Boilermakers National Annuity Trust Fund v. WaMu Mortgage Pass Through Certificates, Series 2006-ARI*, No. C09-0037 MJP (Western District of Washington) (defended rating agency in claim for violation of federal securities laws).

*Weld v. Dawson (Reclaim Technology, Inc.)*, No. 09-2-46286-1 SEA (King County Superior Court (Wash.)) (defended director and officer clients against alleged breach of fiduciary duty and Washington Securities Act claims in connection with sale of corporation).

*In re River Park Project Bond Litigation*, No. CS01-0127 EFS (Eastern District of Washington) (defended underwriter of municipal bonds against federal and state securities fraud claims).

*Dreiling v. Jain*, No. C01-152IP (Western District of Washington) (defended former President and CEO of public company against claims alleging violation of Short Swing Profit (§16(b)) provisions of the Securities Exchange Act of 1934).

*Herbert v. Cutter & Buck, Inc.*, No. C02-20872 (Western District of Washington) (defended corporation against federal securities fraud claims).

*Fana Capital Corporation v. Murthy*, No. C06-606 (Western District of Washington) (defended individual against state securities fraud claims involving foreign investments).

*TLCA v. Cennapharm*, No. 03-2-13177-6 SEA (King County Superior Court (Wash.)) and *TLCA v. Tamer Laboratories et al.*, No. 05-2-40585-6 SEA (King County Superior Court) (pursued state securities fraud claims on behalf of plaintiff in connection with purchase of convertible promissory notes).

David has defended national brokerage firms against numerous customer suits in FINRA, NASD and NYSE arbitrations.

### Representative Class Action Experience

*Williams v. Nitrofill, Inc.*, No. 09-2-16154-2 SEA (King County Superior Court (Wash.)) (defended national class action under TCPA).

*In re NCAA Division I-A Walk-On Football Players Litig.*, C04-1254C (Western District of Washington) (defended NCAA against antitrust class action alleging violation of the Sherman Act).

*Thiebes v. Wal-Mart Stores Inc.*, No CV98-802-KI (District of Oregon) (defended retailer against FLSA collective action alleging wage and hour claims).

*Barnett v. Wal-Mart Stores Inc.*, No. 01-2-24553-8 SEA (King County Superior Court (Wash.)) (defended retailer against state law class action alleging wage and hour claims).

*Moore v. Wal-Mart Stores Inc.*, No. 0512-12867 (Multnomah County Circuit Court (Ore.)) (defended corporation against state law class action alleging violation of termination pay statutes).

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*McFarlin v. Wal-Mart Stores Inc.*, No. A05-0094 CV (District of Alaska) (defended retailer against state law class action alleging wage and hour claims).

*Hansen v. Diamond Parking, Inc.*, et al., No. C01 1714Z (Western District of Washington) (defended corporation against state law class action alleging violation of Washington Consumer Protection Act claims).

*Meier v. Wells Fargo Home Mortgage Inc.*, No. 02-2-35105-1 SEA (King County Superior Court (Wash.)) (defended corporation against state law class action alleging violation of Washington Consumer Protection Act).

### **Representative Banking Matters**

*Ortega v. Northwest Trustee Services, Inc.*, No. 09-2-11809-2 (Snohomish County Superior Court (Wash.)) (defended financial institution against consumer claims arising out of mortgage dispute).

*PNC Bank, NA v. KeyBank, NA*, No. 04-2-34532-4 SEA (King County Superior Court (Wash.)) (defended bank in inter-bank commercial dispute regarding interpretation and enforcement of participation agreement).

*Davis v. Wells Fargo Home Mortgage Inc.*, No. 04 2 10474 8 (Pierce County Superior Court (Wash.)) (defended corporation against claims by consumer in connection with home mortgage).

*Hughes v. Wells Fargo Bank, NA*, No. CV04-0760L (Western District of Washington) (defended bank against consumer claims).

*Reyes v. Wells Fargo Home Mortgage Inc.*, No. C05-5708 RBL (Western District of Washington) (defended corporation against TILA, RESPA, ECOA, and consumer claims).

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*Wells Fargo Bank NA v. Mouws Dairy*, No. 04-2-01176-7 (Whatcom County Superior Court (Wash.)) (pursued collection action against Dairy on behalf of bank in connection with commercial financing agreement).

*Wells Fargo Bank v. Ericksen Office Park Partnership et al.*, No. 04 2 00761 7 (Kitsap County Superior Court (Wash.)) (pursued claims on behalf of bank against defendants in connection with administration and closure of interest rate swap agreement).

### **Representative Insurance Matters**

*Essex Insurance Company v. Caicos Corporation*, No. 09-1714 RSL (Western District of Washington) (pursued declaratory judgment action against marine contractor).

*Morgan v. Valley Insurance*, No. 99-2-00945-5 (Snohomish County Superior Court (Wash.)) (defended Unitrin Insurance Group in bad faith action in connection with confession of judgment by insured).

*Somerset Park Condominium Assoc. v. Travelers Casualty Insurance Co.*, No. 05-2-06524-9 SEA (King County Superior Court (Wash.)) (defended Unitrin Insurance Group against claims involving bad faith allegations).

*Meadow Valley Owners Assoc. v. Meadow Valley, LLC*, No. 03-2-33931-8 KNT (King County Superior Court (Wash.)) (represented intervenor-defendant Unitrin Insurance Group in bad faith suit in connection with construction defects).

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**Speaking Engagements**

“Accounting 101 for Attorneys,” October 2010

“A Litigator’s Perspective on Business Transactions,” March 2010

Financial Statement Analysis for the Non-Financial Advisor, September 2006

**Awards and Honors**

Named as a “Rising Star” in *Washington Law & Politics*, 2002-2010

Selected “Future Star” by *Benchmark Litigation*, 2009-2011

**Professional and Community Activities**

Income Tax Return Preparer, Volunteer Income Tax Assistance Program (V.I.T.A.)

Volunteer Coach, Thurston County Youth Soccer Association