



David D. Yeagley

Partner

dyeagley@ubglaw.com

Cleveland - 216.583.7216

David is a trial and appellate lawyer whose practice focuses on class action and complex litigation. David's practice encompasses the defense of consumer protection and deceptive practices litigation, defective products, product recall, and warranty and false advertising litigation, business contracts litigation, insurance policy litigation, TCPA class actions, real estate and construction litigation, director, officer and shareholder rights litigation, credit card litigation, automobile franchise litigation, investment fraud and securities litigation, and environmental and toxic tort litigation. David has extensive appellate and oral advocacy experience, handling dozens of appeals. David is skilled in the development of comprehensive class action defense strategies, including the presentation of jurisdictional issues and the use of early motion practice under Article III, Rule 12(b) and Rule 23. David also has extensive experience regarding arbitration proceedings and the enforcement of arbitration clauses in consumer and business contracts. He was awarded the highest ranking, AV Preeminent®, from Martindale-Hubbell®, and has consistently been named to The Best Lawyers in America® for Commercial Litigation.

Education

- Ohio Northern University (B.S., *with distinction*, 1986)
- Ohio Northern University (J.D., *with distinction*, 1989)
 - Willis Academic Honorary Society
 - Executive Editor, Ohio Northern University Law Review

Bar Admissions

- Ohio
- U.S. Supreme Court
- U.S. Court of Appeals, Sixth Circuit
- U.S. District Court, Northern District of Ohio
- U.S. District Court, Southern District of Ohio
- U.S. District Court, Northern District of Illinois (Trial Counsel)

Practices & Industries

- Class Actions
- Complex Business Litigation
- Consumer & Financial Litigation
- Appellate Litigation
- Litigation & Dispute Resolution
- Governance Disputes & D&O Litigation
- Construction Litigation
- Construction
- Construction Industry
- Manufacturing
- Product Liability
- Toxic Tort and Environmental Litigation
- Pharmaceutical and Medical Device Litigation
- Product Liability Litigation – Manufactured Products & Consumer Goods
- Real Estate Litigation

- U.S. District Court, Eastern District of Michigan

Professional Affiliations

- Ohio State Bar Association
- Cleveland Metropolitan Bar Association

Awards & Honors

- Named to *The Best Lawyers in America*®, Commercial Litigation (2021-2026)
- AV Preeminent® Peer Review Rated – Martindale-Hubbell®

Representative Experience

- Lead trial counsel in multi-day bench trial seeking equitable remedies.
- Defended a national consumer products manufacturer and supplier in putative nationwide class action lawsuits asserting warranty and product liability claims.
- Successfully implemented strategy to dismiss consumer protection claims and strike nationwide class action allegations directed to an express warranty claim through motion to dismiss briefing in a putative class action filed in federal court.
- Argued an appeal in a contract dispute between two municipalities arising from a settlement agreement.
- Multifaceted defense of consumer class actions involving pharmaceutical products arising from product recalls.
- Successfully defended multiple class actions in trial and appellate courts, establishing important Rule 23 precedent including seminal Ohio Supreme Court decision on “no injury” class actions.
- Secured dismissal of first-party total loss insurance cases including voluntary dismissal in response to motion to dismiss.
- Lead counsel in jury trial to verdict in U.S. District Court for the Northern District of Illinois, procuring defense verdict on consumer protection and punitive damages claims.
- Secured favorable resolution and dismissal of TCPA class actions.
- Secured favorable resolution of complex multi-party premises liability lawsuit involving building façade.
- Procured early dismissal of Ohio Securities Act claim based on motion to dismiss.
- Defeated putative class actions in multiple cases through motion practice under Rules 12(b)(1), 12(b)(2), 12(b)(6), and 23.
- Achieved dismissal of claims through Daubert challenges of opposing experts.
- Successful defense of a national homebuilder in multiple cases involving real estate development contracts and customer claims for breach of contract/warranty and violation of consumer statutes.
- Procured highly favorable dismissal of long-standing class action lawsuit through contested settlement with bankruptcy trustee.
- Procured dismissal of class action and high stakes lawsuits through contested enforcement of arbitration clauses and defense of motion to intervene.

- Defended a wide array of companies in consumer protection and deceptive practices litigation.
- Implemented multifaceted defense of an international company in a nationwide class action asserting warranty claims, leading to a dismissal.
- Defended an international company in a nationwide class action alleging false advertising.
- Procured an early dismissal of shareholder derivative and class action claims arising out of a merger transaction.
- Skilled in developing and implementing comprehensive defense of claims from case inception through jury trials and appeals, including cutting edge arguments under Article III and class member ascertainability.

Reported Cases

- *Reading Recovery Council of North America, Inc. v. State of Ohio, et al.*, Case No. 25-AP-515, 2026-Ohio-1000 (10th Dist.)
- *Lawrence v. NVR, Inc.*, ___ F.Supp.3d ___, 2026 WL 706549 (N.D. Ohio March 13, 2026)
- *Mosley, et al. v. EzriCare LLL, et al.*, No. 23-cv-20, 2024 WL 1342615 (E.D. Ky. March 29, 2024)
- *City of Brook Park v. City of Cleveland*, 2023-Ohio-3365, 2023 WL 6160605 (8th Dist.)
- *Kitral v. NVR, Inc.*, Case No. 21-cv-612, 2021 WL 1927853 (N.D. Ohio May 13, 2021)
- *Smith v. NVR, Inc.*, 2019 WL 6838938 (N.D. Ill. Dec. 16, 2019)
- *Big City Small World Bakery Cafe, LLC v. Francis David Corporation dba Electronic Merchant Systems*, 2017 WL 2954694 (E.D. Mich.)
- *Javitch v. First Union Securities, Inc.*, 2017 WL 768024 (N.D. Ohio)
- *Konarzewski v. Ganley, Inc.*, 2017-Ohio-4297, 2017 WL 2590553 (8th Dist.)
- *Allen v. Nationwide Mutual Ins. Co., et al.*, 2017 WL 881456 (S.D. Ohio)
- *Lopez v. JPMorgan Chase Bank, N.A.*, No. 15-CV-1970, 2016 WL 2990982 (N.D. Ohio)
- *Felix v. Ganley Chevrolet, Inc.*, 2015-Ohio-3430 (Supreme Court of Ohio Aug. 27, 2015)
- *Sizler v. Stanek Vinyl Windows Corp.*, 2015 WL 555987 (N.D. Ohio)
- *Gill-Samuel v. Nova Biomedical Corporation*, 298 F.R.D. 693 (S.D. Fla. 2014)
- *GuideOne Elite v. Synergy Building Systems, Inc., et al*, 12-CV-110 (S.D. Ohio 2012)
- *Koyo Corp. v. Comerica Bank, et al*, Case no. 10-CV-2557 (N.D. Ohio 2011)
- *Sandesara v. PECO II, Inc.*, 2011 WL 5590279 (8th Dist.)
- *Stalvey v. NVR, Inc.*, 2011 WL 3472385 (N.D. Ohio)
- *Prephan v. NCO Fin. Sys., Inc.*, 2011 WL 2579817 (N.D. Ohio)
- *Priore v. Chase Bank USA, N.A.*, Case No. 09-cv-1045 (N.D. Ohio 2010)
- *Heiges v. JP Morgan Chase Bank N.A.*, 521 F.Supp.2d 641 (N.D. Ohio 2007)
- *Repede v. Nunes*, 2006-Ohio-4117 (Ohio 8th Dist.)

- *All-Iowa Contracting Co. v. Linear Dynamics, Inc.*, 296 F.Supp.2d 969 (N.D. Iowa 2003)
- *Rudy v. Carter*, 2009-Ohio-2729 (Ohio 8th Dist.)
- *F&L Ctr. Co. v. M. Goodman, Inc.*, 2004-Ohio-5856 (Ohio 8th Dist.)
- *Nefores v. BrandDirect Mktg., Inc.*, 2004-Ohio-5006 (Ohio 5th Dist.)
- *C.H. Robinson Worldwide, Inc. v. Maxxum Group, LLC*, 2010 U.S. Dist. LEXIS 73419 (D. Minn.)
- *McClendon v. Challenge Fin. Investors Corp.*, 2009 U.S. Dist. LEXIS 22446 (N.D. Ohio)
- *Olah v. Ganley Chevrolet, Inc.*, 2010-Ohio-5485 (Ohio 8th Dist.)
- *Wallace v. The Ganley Auto Group*, 2011-Ohio-2009 (Ohio 8th Dist.)
- *Maestle v. Best Buy Co., et al.*, 2011-Ohio-5833 (Ohio 8th Dist.)
- *Grey v. Walgreen Company*, 2011-Ohio-6167 (8th Dist.)

Class Actions

With over three decades of class action experience, David dissects the class action complaint and works closely with clients to assess the underlying facts and craft a comprehensive strategy to defend the lawsuit. Because a class action is a representative action that threatens aggregate liability, the stakes are high and strong defense strategy is necessary. David has a proven track record – reflected in precedential court decisions – of executing defense plans tailored to a particular case, resulting in favorable court decisions on motions to dismiss, motions for judgment on the pleadings, motions to strike, motions for summary judgment, and denials and appeals of motions for class certification. David also has achieved voluntary case dismissals and individual (non-class) settlements, thereby minimizing defense costs and litigation risks.

When faced with a putative class action, the defense must focus on both the substantive merits of the allegations and class action procedures. If the risk of aggregate liability is eliminated, the impact of the lawsuit may be minimized or reduced to little more than a nuisance. Class actions introduce a specialized lexicon of procedural principles and prerequisites, which are litigated by the parties and adjudicated by the court. David designs and executes a comprehensive class action defense tailored to show, based on the facts and evidence unique to the matter, that the prerequisites cannot be established and therefore certification should be denied. He has implemented winning defense plans targeted to issues of class-wide injury or damage, class member ascertainability, class representative typicality and adequacy, predominance of individual questions of law and fact, and class-wide evidentiary proof.

Publications & Presentations

PUBLICATIONS

- “Punishment and Deterrents,” *Best Lawyers* (September 2022)
- “A Class Action Was Just Filed—Now What?” *JD Supra* (March 2022)
- *Defending The ‘No-Injury’ Class Action*, *Law360* (July 2015)
- *2nd Circ. Unlikely To Change Class Action Status Quo*, *Law360* (February 2015)

- “Primary Liability Under Rule 10b-5 Limited to ‘Ultimate Makers’ of Fraudulent Statements,” VC Experts’ *Encyclopedia of Private Equity and Venture Capital* (July 2011)
- “Class Action Defense Checklist,” Ulmer & Berne LLP, *Financial Law Resource* (Summer 2007)

PRESENTATIONS

- “Ulmer’s Front-Line Insights on the Class Action Landscape in Ohio & What it Means for You,” Ulmer Litigation Conference (September 2017)
- “Consumer Class Actions: Where Do We Go From Here?” Ulmer & Berne, Financial Services & Securities Litigation Hot Topics 2015 (November 2015)
- “Navigating the Ever-Changing Landscape of Financial Services Litigation,” Financial Services Hot Topics (December 2013)

News & Media

August 21, 2025

UB Greensfelder Attorneys Recognized in The Best Lawyers in America® 2026 List

August 15, 2024

UB Greensfelder Attorneys Recognized in The Best Lawyers in America® 2025 List

August 17, 2023

Ulmer Attorneys Recognized in The Best Lawyers in America® 2024 Report

August 18, 2022

Ulmer Attorneys Recognized in The Best Lawyers in America® 2023 Report

June 30, 2021

SCOTUS Green Lights Price Impact Evidence for Class Cert in Inflation-Maintenance Case

January 4, 2021

U.S. Supreme Court Accepts Case That Could Alter the Landscape of Private Securities Litigation