



David J. Simmons

Partner

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St. Louis - 314.516.2691

David Simmons' litigation practice takes a responsive and competitive approach that is mindful of clients' budgets and business goals. He frequently represents clients in franchise, trusts and estates and general civil and complex litigation, as well as antitrust, premises liability/personal injury, securities and class action matters.

Clients, including major financial and energy companies, turn to David for straightforward, realistic counsel on litigation strategy. He has significant experience representing trust companies and banks in state and federal court on the interpretation and construction of trusts, and he represents financial institutions and investment professionals in arbitrations through the Financial Industry Regulatory Authority (FINRA).

David also can assist with disputes that arise out of franchisor-franchisee relationships, including enforcing restrictive covenants and counseling clients regarding various franchise disclosure laws. He has defended major oil companies facing claims including unlawful motor fuel pricing practices under the Robinson-Patman Act and similar state laws, violations of the Petroleum Marketing Practices Act, tortious interference, fraud and breach of contract. He has prosecuted and defended class actions in federal and state court, including on behalf of a large, multinational oil company.

In connection with his litigation practice, David counsels clients on electronic discovery in state and federal courts as well as in FINRA arbitrations. He handles large, complex electronic discovery projects in cases pending in state and federal courts.

Education

- Washington University School of Law (J.D., 2002)
- University of Missouri - Columbia (B.A., 1998)
 - Philosophy

Bar Admissions

- Missouri
- Illinois

Practices & Industries

- Distribution
- Established & Growing Franchisors
- Franchising Regulatory Compliance & Exemptions
- Start-Up Franchisors
- Electronic Information Management
- eDiscovery
- Franchising & Distribution Industry
- Restrictive Covenants
- Trusts & Estates
- Fiduciary Services
- Financial Services
- Energy Industry
- Fiduciary Litigation
- Franchising & Distribution
- Litigation & Dispute Resolution
- Regulatory & Antitrust Law
- Class Actions
- Energy Litigation
- Securities & Commodities Litigation

- Kansas
- U.S. District Court, Eastern District of Missouri
- U.S. District Court, Northern District of Illinois
- U.S. District Court, District of Kansas

Professional Affiliations

- The Missouri Bar
- The Illinois Bar
- The Kansas Bar Association
- Bar Association of Metropolitan St. Louis

Community Involvement

- Leadership Council on Legal Diversity (*Fellow, 2019*)
- Bar Association of Metropolitan St. Louis, Motion for Kids
- Leadership St. Louis (*Class of 2013-2014*)
- Land of Lincoln Legal Aid (*Volunteer Lawyer*)

Awards & Honors

- Named to *The Best Lawyers in America*®, Franchise Law (2025; 2026)
- President's Award, BAMSL (2025)
- Who's Who Diversity in Color (2015)
- Professional Mentorship Award, Washington University Black Law Student Association (2012)

- Energy
- Financial Services Industry
- Convenience Retailing
- Oil & Gas
- Renewables
- Utilities
- Real Estate Litigation
- Educational, Religious & Tax-Exempt Organizations
- Mobility, Consumers & Products

Experience

- **Enforcement of restrictive covenants.** Counsel for several clients, including franchisors and broker dealers, in enforcing restrictive covenants against terminated employees, including enforcing covenants not to compete and covenants prohibiting the use of employers' trade secrets.
- **Personal injury/premises liability defense.** Counsel for clients, including large, multinational energy companies, in personal injury/premises liability actions across the country. Issues include defending against alleged negligence causing personal injuries to employees and third parties.
- **Fiduciary litigation.** Counsel for trust companies and banks in state and federal court involving various trust issues, including breach of trust, removal of trustee, resignation of trustee, approval of accounts and undue influence.
- **Petroleum Marketing Practices Act.** Counsel for large, multinational oil companies in state and federal court cases involving the termination or nonrenewal of petroleum franchises under the Petroleum Marketing Practices Act.
- **Securities litigation.** Counsel for broker-dealers in arbitrations before FINRA and federal and state courts. Issues include prosecuting violations of restrictive covenants and defending broker-dealers against alleged violations of federal and state securities

laws and other common law/statutory causes of action.

Representative Case

- *Arizona Oil Holdings LLC v. BP West Coast Products* (2015). Successfully defended major oil refiner against claims for breach of contract, UCC § 2-305 bad faith pricing, breach of Arizona franchise laws and breach of the Petroleum Marketing Practices Act. Issues included managing a very large electronic discovery project and overseeing vendors and attorneys who were reviewing electronic documents for production.
- *Wanda Hardin v. DIRECTV et al.* (2014). Successfully defended DIRECTV in a four-day personal injury trial in Franklin County, Missouri.
- *Ogunnubi v. Equilon Enterprises, LLC* (2014 Ill. App. Unpub. LEXIS 2809). Obtained summary judgment for Equilon Enterprises, LLC in a personal injury action filed in Cook County, Illinois. Also successfully defended the plaintiffs' appeal.
- *In re Motor Fuel Temperature Sales Practices Litigation* (2012). Successfully defended major oil refiner in a class action involving classes consisting of everyone who purchased Shell-branded gasoline in 27 states from 2001 through 2012.

News & Media

August 21, 2025

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

May 1, 2025

UB Greensfelder Partner David Simmons Recognized with 2025 Presidential Award from The Bar Association of Metropolitan St. Louis

August 15, 2024

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

January 19, 2023

Greensfelder Attorneys Earn CEDS Electronic Discovery Credential