

## David L. Balsler

Partner

*Trial and Global Disputes*

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David Balsler tries high-stakes cases on behalf of Fortune 500 companies and other leading businesses in the financial services, telecommunications, energy, transportation, professional services, and private equity sectors. A Fellow of the American College of Trial Lawyers, David leads the firm’s nationwide class action practice and has defended more than 200 class actions, including many filed in the most plaintiff-friendly jurisdictions in the country. He is a leader in litigating novel and complex data breaches and has served as lead counsel on some of the most notable cases in U.S. history, including high-profile matters for Equifax and Capital One.

He also serves on the board of the Georgia Innocence Project, a non-profit using DNA testing to exonerate wrongly convicted criminal defendants.

### Matters

Defending **Capital One** in over 60 consumer class actions relating to the data security incident that was announced in July 2019.

Successfully defended **Equifax** as lead counsel in the MDL involving hundreds of consumer and financial institutions class actions filed in the wake of a high-profile 2017 data breach. After more than a year and a half of contentious litigation, David led the negotiation of a class action settlement to resolve the claims of approximately 147 million U.S. consumers. The case is currently on appeal to the 11th Circuit.

Successfully defended **Delta Air Lines** in a series of consumer class actions that were filed following the 2018 announcement of a cybersecurity incident involving a third-party vendor. Two of the cases were dismissed with prejudice, and the plaintiff in the third case discontinued the lawsuit.

Successfully led the defense of “bet-the-company” litigation for **SCANA Corporation** relating to the abandonment of SCANA’s new nuclear development at the V.C. Summer plant in South Carolina. David led multiple teams of King & Spalding lawyers in the defense of ratepayer class actions, derivative claims, federal securities class actions, and state and federal governmental investigations, as well as an expedited federal court injunction proceeding seeking to block implementation of confiscatory legislation targeting SCANA. David served as lead counsel for SCANA in a 15 day evidentiary proceeding before the South Carolina Public Service Commission in which multiple parties sought to block SCANA’s proposed \$14.6 billion merger with Dominion

Energy. SCANA achieved a complete victory in that matter, leading to the closing of the Dominion merger in January of 2019.

Currently defending **Emory University** in a COVID-19 related class action seeking tuition refunds.

Currently defending **Delta Air Lines** in a COVID-19 related class action seeking ticket refunds.

Recently defeated class certification and obtained summary judgment for **Delta Air Lines** in a class action in the Southern District of Florida alleging RICO and breach of contract claims relating to trip insurance.

Recently served as lead counsel for **AT&T** in an international arbitration seeking to block enforcement of a multi-million dollar judgment obtained by a former executive in Argentina. In a complete victory, the arbitration panel, after an extensive evidentiary hearing, issued a world-wide injunction preventing the former executive from seeking to enforce his judgment.

Recently served as lead trial counsel for a **New York based hedge fund** in a jury trial in Superior Court of Fulton County. The client's entire \$85 million investment in a real estate joint venture was at stake. David obtained a complete defense verdict and a verdict in his client's favor on its counterclaims.

Recently served as lead trial counsel for an **affiliate of Roark Capital**, a leading private equity fund, in a trial in Delaware Chancery Court involving a post-acquisition tax dispute. David obtained a judgment in his client's favor.

Recently defeated class certification in \$300 million consumer class action on behalf of **affiliates of The Southern Company** in a long-running, high-stakes putative class action in Cook County (Ill.) Chancery Court asserting purported violations of the Illinois Consumer Fraud Act.

Has defended more than a dozen **AmLaw 200 firms** against claims of legal malpractice.

## Credentials

### EDUCATION

J.D., University of Michigan, cum laude

B.A., University of Pennsylvania, magna cum laude

### ADMISSIONS

Georgia

### CLERKSHIPS

Law Clerk, Honorable Charles A. Moye, Jr., Chief Judge, U.S. District Court for the Northern District of Georgia

## Recognition

2018 BTI Client Service All-Star

BTI, 2018

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Band 1: Commercial Litigation

CHAMBERS USA

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“A superb trial lawyer”

CHAMBERS USA

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“Bet the Company” Litigation, Commercial Litigation

BEST LAWYERS IN AMERICA

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2018 U.S. “Litigation Star”

BENCHMARK LITIGATION

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Top 100 Lawyers in Georgia

GEORGIA SUPER LAWYERS, 2012–PRESENT

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## Insights

### NEWSLETTER

*January 29, 2021*

Predominant Issues – January 2021

*December 23, 2020*

Predominant Issues – December 2020

*November 27, 2020*

Predominant Issues – November 2020

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## Events

### CONFERENCE

*October 14, 2021*

3rd Annual Financial Services Summit

*May 9, 2019*

Class Action University

### WEBINAR

*September 9, 2021*

14th Annual King & Spalding Medical Device Summit

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## News

### IN THE NEWS

*September 27, 2021 • Source: Law360*

Spencer Diamond, David Balsler, Larry Slovensky and Timothy Lee counsel Health Insurance Innovations in a class action settlement

*September 16, 2021 • Source: Law360*

Billie Pritchard, David Balsler and Susan Clare counsel Baker Donelson before a Georgia federal

court in a surveillance dispute

**RECOGNITION**

*October 13, 2021*

Benchmark Litigation Recognizes King & Spalding as a Leading Litigation Firm

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