



David Winchester Peck
Of Counsel

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Overview

Dave's primary practice focuses on private dispute resolution. After an extensive career in trial work, he now serves as a mediator for a variety of legal disputes. Dave handles mediation and arbitration of disputes in the areas of employment law, professional liability, construction, engineering, and architectural liability, premises liability, product liability, and bodily and personal injury litigation.

Dave is a Fellow of the American College of Trial Lawyers and an Advocate in the American Board of Trial Advocates. He has extensive trial experience in State and Federal courts dating back to 1966.

Experience

- Tried to verdict over 100 jury trials in the area of medical malpractice, hospital liability, premises liability, employment relationships, civil rights litigation, and malicious prosecution/false arrest and auto/truck liability cases
- Represented hospitals and doctors in the management of claims for professional liability, pre-and post-suit, participated in over 1,000 depositions for discovery and trial testimony, including evaluation of exposure, settlement ranges and jury verdict potential
- Served as an arbitrator in medical cases, employment discrimination claims, and civil rights actions
- Served as a mediator in the resolution of disputes in professional liability litigation (legal and medical malpractice), employment discrimination/rights litigation, premises liability litigation, contract disputes, construction (engineering, architectural, and contractor liability disputes), real estate evaluations, and civil rights claims

Honors/Distinctions

- AV peer rating by Martindale-Hubbell Since 1985- a reflection of having achieved the highest level of professional skill and integrity a lawyer can earn
- Completed 40 hour training course in Mediation and ADR at Duke University School of Law, 2002
- American Health Lawyers Association, Arbitration Training Course; San Diego, California (2005)
- American Board of Trial Advocates, Advocate (1997)
- American College of Trial Lawyers, Fellow (1997)
- Potter Stewart Inn of Court, Master
- Selected and listed as one of Ohio's Super Lawyers (2004-2016)
- Selected and listed as one of Ohio's Corporate Counsel Super Lawyers (2010)

Practice Areas

Private Dispute Resolution

Education

- Salmon P. Chase College of Law (J.D., 1966)
- Miami University (B.S. in Business Administration, 1962)

Admissions

- State of Ohio
- Commonwealth of Kentucky
- U.S. District Court, Southern District of Ohio
- U.S. Court of Appeals for the Sixth Circuit
- U.S. Supreme Court

Professional Affiliations

- Cincinnati Bar Association (Admissions and Legal Education Committee, Chairman, 1991 & 1992; Common Pleas Court Committee; Professionalism Committee; Alternative Dispute Resolution Committee, Chairman, 2007)
- Ohio State Bar Association
- Kentucky Bar Association
- American Bar Associations (Tort and Insurance Practice Section; Medical Malpractice Section; Trial Advocacy Section; Litigation Section)
- International Association of Defense Counsel (Medical Malpractice Section; Business Litigation Section)
- American Health Lawyers Association (Approved Panel Mediator, 2005 - Present)
- Ohio Association of Civil Trial Attorneys (Past Medical Malpractice Committee Co-Chair, Past Trustee, Current Editor of Quarterly Report, and Past Co-Chair of ADR Committee)
- Defense Research Institute (Southern Ohio Region, Chairman, 1989)
- Adolescent Health Board, Children's Hospital Medical Center: Treasurer, 2009 - Present, Member 1999 - Present)

Community Involvement

- Wyoming, Ohio Board of Education President, 1987-1988; Board Member, 1981-1989
- City of Wyoming (Tax Review Board, 2000-Present)

Presentations

- "Let's Make A Deal - Ohio Mediations" The Central Ohio Chapter of CLM (October 2014)
- "Let's Make A Deal - Ohio Mediations" Southwest Ohio Chapter of CLM (May 2013)
- "ADR," Northeastern Lawyers Association (May 2009)
- "The Ramifications of EDD and Technology - effectively advising your client - Practical Litigation Advise on Discovery of Electronic Data," speaker at the Potter Stewart Inn of Court (February 2008)
- "Confidentiality of Medical Records," Lorman Education Services (September 2002)
- Tort Reform Legislation, "Caps for Non-economic Damages," OACTA Speaker (February 2005)
- Medical Malpractice update - OACTA Speaker (December 2004)
- "Modern Mediation Practice," Cincinnati Bar Association (September 2007)

Publications

- OACTA Quarterly Editor (2007-Present)
- "Mediation of Disputes," Article published for OACTA ADR Committee (Spring Edition 2007)
- Semi-annual "Summary of reported Medical Malpractice Cases in Ohio," - published in OACTA Quarterly Review