

David P. Madden, a native of Kansas City, Missouri, has practiced throughout the United States in state and federal courts. He has tried over 100 cases involving: professional liability to include medical and legal malpractice claims; transportation representing matters trucking companies and defending aviation accident claims; products liability; construction; premises liability; and electric utilities and insurance coverage matters.

Madden has served as an expert in insurance coverage matters and has extensive experience in arbitration and mediation of claims.

Madden served as a Lieutenant Colonel in the United States Army Judge Advocate General Corps and taught legal courses on civil and criminal law at the collegiate level.

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# **David P. Madden OF COUNSEL**

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#### **OVERLAND PARK OFFICE**

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#### EDUCATION

- University of Tulsa College of Law, J.D., 1979
- University of Missouri at Kansas City, M.A., History, 2007
- Florida State University, B.A., History, 1972

#### **BAR ADMISSIONS**

- State Bar of Oklahoma
- State Bar of Texas (Inactive)
- State Bar of Kansas
- State Bar of Missouri
- U.S. District Courts of Oklahoma, Missouri, and Kansas
- **Eighth U.S. Circuit Court of Appeals**
- Tenth U.S. Circuit Court of Appeals
- U.S. Army Court of Military Appeals
- **U.S. Supreme Court**

## PUBLICATIONS

• Veterinary Economics Journal. Author and Legal Editor (1984-1995) Coming to Terms with Contracts. The Best of Ross Clark on Practice Management. Legal Notes.

How to Draft a Successful Partnership Agreement. Lease Agreements for Your Clinic.

## AFFILIATIONS, ACTIVITIES AND HONORS

- Board Certified Civil Trial Advocate National Board of Trial Advocacy 1995-2005
- American Board of Trial Advocates 1999
- Marguis Who's Who in American Law 1998

## PRESENTATIONS

- 13th Annual Emergency Management Higher Education Conference. Emmitsburg, Maryland - 2010
- Trial Advocacy in Kansas 2004
- Insurance Law: Third Party Coverage 2001

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- Insurance Coverage in Kansas 2000
- Insurance Coverage Law in Kansas 1999
- Premises Liability in Kansas 1998
- Trying the Soft Tissue Injury Case 1998
- Insurance Law Third Party Coverage 1998
- Nuts and Bolts of Employment Law. Kansas Bar Association 1997

#### **RELEVANT EXPERIENCE**

- Liberty v. Westwood United Super, 110 P.3d 447 (Kan. Ct. App. 2005)
- McCormick v. Farrar, 147 F. App'x 716 (10th Cir. 2005)
- Thacker v. Kroger Co., 155 F. App'x 946 (8th Cir. 2005)
- Endsley v. American Drug Stores, Inc., 93 P.3d 745 (Kan. Ct. App. 2004)
- Worthington v. Wal-Mart Stores, Inc., 257 F. Supp. 2d 1339 (D. Kan. 2003)
- Hollinger v. Sifers, 122 S.W.3d 112 (Mo. Ct. App. 2003)
- Arceo v. City of Junction City, 182 F. Supp. 1062 (D. Kan. 2002)
- Meyer v. City of Joplin, 281 F.3d 759 (8th Cir. 2002)
- Collins v. Johnson County, 56 F. App'x 852 (10th Cir. 2002)
- Lopez v. Three Rivers Elec. Coop., 95 S.W.3d 165 (Mo. 2002)
- Zimmerman v. Mahaska Bottling Co., 19 P.3d 784 (Kan. 2001)
- Foster v. Catalina Indus., Inc., 55 S.W.3d 385 (Mo. Ct. App. 2001)
- Burleson v. Fleming, 58 S.W.3d 599 (Mo. Ct. App. 2001)
- Lopez v. Three Rivers Elec. Coop., 26 S.W.3d 151 (Mo. 2000)
- Nanninga v. Three Rivers Elec. Coop., 236 F.3d 903 (8th Cir. 2000)
- Nanninga v. Three Rivers Elec. Coop., 203 F.3d 529 (8th Cir. 2000)
- Stapp v. Overnight Transp. Co., 995 F. Supp. 1207 (D. Kan. 1998)
- Weber v. Ideker, 978 F. Supp. 1419 (D. Kan. 1997)
- Hilsabeck v. Lane, 168 F.R.D. 313 (1996)
- Barrett v. Fields, 941 F. Supp. 980 (D. Kan. 1996)
- Tyler v. City of Manhattan, 118 F.3d 1400 (10th Cir. 1996)
- Planet Ins. Co. v. Ertz, 920 S.W.2d 591 (Mo. Ct. App. 1996)
- Anderson v. Noel T. Adams Ambulance District, 931 S.W.2d 850 (Mo. Ct. App. 1996) Great Plains Mut. Ins. Co. v. Nw. Nat. Cas. Co., 914 F. Supp. 459 (D. Kan. 1996)
- Whitmore v. O'Connor Management Inc., 899 F. Supp. 425 (W.D. Mo. 1995)
- Cole v. Sharp, 898 F. Supp. 799 (D. Kan. 1995)
- Graves v. Atchison-Holt Elec. Co-op., 886 S.W.2d 604 (Mo. Ct. App. 1994)
- Sparks v. Platte-Clay Elec. Coop., 861 S.W.2d 604 (Mo. Ct. App. 1993)
- Grundy Elec. Coop. v. Washburn, 855 S.W.2d 343 (Mo. 1993)
- Cerretti v. Flint Hills Rural Electric Coop., 837 P.2d 330 (Kan. 1992)
- Bunker v. Association of Missouri Elec. Coops., 839 S.W.2d 608 (Mo. Ct. App. 1992)
- Washburn v. Grundy Elec. Co-op., 804 S.W.2d 424 (Mo. App.W.D. 1991)
- Bell v. Great Lakes Container Corp., 702 P.2d 387 (OK CIV APP 1985)
- Hurd v. American Hoist & Derrick Co., 734 F.2d 495 (10th Cir. 1984)

