



Warren David Harless

Partner

Trials/Appeals/Alternative Dispute Resolution
Complex Business and Commercial Disputes
Employment Issues and Executive Agreements
Non-Competition and Trade Secrets
Products Liability and Torts

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David Harless is a partner in the firm's Litigation department and serves as head of the firm's Employment practice group. He represents a wide variety of corporations, closely-held companies, and individuals in complex business and commercial disputes, such as contract, business tort, restrictive covenant, trade secret, and employment litigation, and products liability, premises liability and tort defense litigation. He spends significant time advising clients regarding employment matters, and defending against discrimination, wrongful discharge, and hiring claims.

Mr. Harless is a member of the firm's Executive Committee, and a former president of the Virginia State Bar and the Bar Association of the City of Richmond. He has been a faculty member of the Virginia State Bar's mandatory professionalism course, the panel that trains such faculty, as well as the National Trial Advocacy College of the University of Virginia. In addition, Mr. Harless has lectured on numerous business, employment and products liability litigation topics.

Representative Business Litigation

- Defense of companies against business conspiracy, trade secret and interference with contract claims.
- Represent parties in disputes over indemnification and allocation of liability for commercial and products liability claims.
- Defense of claims involving fiduciary duties of officers, directors, and members of corporations, closely-held companies and partnerships.

Representative Employment Matters

- Defense and assertion of violations of restrictive covenants, such as non-compete, non-solicit, confidentiality, trade secret and no-hire clauses.
- Representation of employers against alleged violations of overtime compensation and wage claims.
- Response to and defense of numerous harassment, hostile work environment, sex, race, age, disability, FMLA, workplace defamation and wrongful discharge claims and charges.
- Representation of executives and companies in negotiating and preparing compensation and benefit packages, exit strategies, and severance and release arrangements.

Representative Products Liability/Tort Matters

- Defense of product liability claims against manufacturers and distributors of various products, such as forklifts and forklift products, construction equipment, brake systems, propane cylinders, all-terrain vehicles, playground equipment, breast implants, motorcycle helmets, commercial floor finishing products, pesticides and herbicides, and mechanical platform lifts.
- Representation of resort complex in premises liability matters involving winter sports and water sports, and commercial tort claims involving easements and cable television rights.

EDUCATION

University of Virginia School of Law, J.D., 1981

University of Kentucky, B.B.A., 1978

ADMISSIONS

Virginia

U.S. District Court for the Eastern District of Virginia

U.S. District Court for the Western District of Virginia

U.S. Bankruptcy Court for the Eastern District of Virginia

U.S. Court of Appeals for the Fourth Circuit

CLERKSHIP

- Hon. Glen M. Williams, U.S. District Court Judge, Western District of Virginia, 1981-1982

RECOGNITIONS

- ***The Best Lawyers in America***[®]

Bet-the-Company Litigation, Commercial Litigation, Employment Law-Management, Litigation-Labor & Employment, Personal Injury Litigation-Defendants, 1995-2018

- **Chambers USA**

Litigation: General Commercial, 2004-2018

- **Virginia Super Lawyers**

Business Litigation, 2006-2018

- **Legal Elite (*Virginia Business*)**

Labor/Employment, 2000-2009, 2011-2017

Civil Litigation, 2010

- **Walker Award of Merit**, Virginia Bar Association, 2017

PUBLICATIONS/PRESENTATIONS

- Faculty, National Trial Advocacy College, University of Virginia Law School
- Co-author with Michael W. Smith and Henry I. Willett III, Business Torts Desk Reference, Virginia chapter, (Morton F. Daller ed., Aspen Law & Business 2009-2013)
- Co-author with Craig T. Merritt and David B. Lacy, Survey of Virginia Employment Libel Law (Media Law Resource Center 1999-2008)
- Faculty, Virginia State Bar Mandatory Course on Professionalism, 2000-2003
- Numerous other law-related articles and lectures at conferences and continuing legal education programs

PROFESSIONAL AFFILIATIONS

- **American College of Trial Lawyers**
Fellow
- **Lewis F. Powell Jr., American Inn of Court**
Barrister
- **U.S. Fourth Circuit Judicial Conference**
Attorney Member
- **Virginia State Bar**
President, 2012-2013
- **The Bar Association of the City of Richmond**
President, 1999-2000
- **Virginia Bar Association**
Labor & Employment Law Section
- **Boyd-Graves Conference**
Attorney Member
- **American Bar Foundation**
Fellow
- **Virginia Law Foundation**
Fellow
- **Industrial Truck Association**
Attorney Attendee

COMMUNITY INVOLVEMENT

- **Virginia Supreme Court, Judicial Ethics Advisory Committee**
- **Virginia State Bar, Judicial Candidate Evaluation Committee**
- **Lawyers Helping Lawyers**
Director
- **Boy Scouts of America, Heart of Virginia Council**
Executive Board, 2002-2011
Adult Advisor, Troop 772 Philmont Expeditions, 2001, 2003
- **Commonwealth Public Safety Medal of Valor Review Board**
Member and Chair, 2003-2010
- **Virginia Public Safety Foundation, Director Emeritus**
Director, 1992-2006
President, 1997-1998
Distinguished Service Award Recipient, 2001