



## David Kramer

### Partner

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Dave is the chair of DBL Law's Litigation & Dispute Resolution practice group. He represents clients in state and federal trial and appellate courts and before administrative agencies. He has successfully tried cases to verdict in numerous venues throughout Kentucky. In the appellate field, he has briefed and argued cases in the Kentucky Court of Appeals, the Supreme Court of Kentucky, and the federal Sixth Circuit Court of Appeals.

In recognition of his trial ability and reputation in the profession, Dave has been named a Fellow of both the American College of Trial Lawyers and Litigation Counsel of America. Super Lawyers rated him as Number 1 of the Top 10 Super Lawyers in Kentucky for 2022 and Number 2 of the Top 10 for 2023. He had previously been named one of the Top 10 Kentucky Super Lawyers in 2021 and one of the Top 50 Kentucky Super Lawyers in 2016 and 2020.

Dave is the author of the Thomson West two-volume treatise on the Kentucky Rules of Civil Procedure, a part of the Kentucky Practice Series. The treatise is often cited by Kentucky's appellate courts and is widely regarded as the leading reference on the Kentucky civil rules.

In 2008, Dave served as a Special Justice of the Kentucky Supreme Court. From 2008 to 2014, David served on the Board of Governors of



the Kentucky Bar Association (KBA). He served as the KBA representative on the Kentucky Supreme Court Civil Rules Committee from 2011 to 2014 and was appointed again by the Court to the Committee in January 2023. He also served as an appointee of the KBA to the Ethics Committee of the Kentucky Judiciary from 2018 to 2022.

Dave is very active in public and community service. He has been a member of the Crestview Hills City Council since 2000. He also serves on the Lakeside Park/Crestview Hills Police Authority Board. In addition, he served as President of the Salmon P. Chase Inn of Court for 2020-22 and serves as a member of the Covington Latin School Alumni Association Board of Directors.

### **PRACTICE AREAS**

- Litigation & Dispute Resolution
- Medical Liability

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### **HONORS & DISTINCTIONS**

- Health Care Law – *Best Lawyers in America* (2024)
- One of the Top 10 Super Lawyers in Kentucky – *Super Lawyers Magazine* (2021 – 2024)
- Health Care, Litigation – *Best Lawyers in America* (2019 – 2024)
- Fellow – American College of Trial Lawyers (2019)



- Medical Malpractice Law – *Kentucky Super Lawyers* (2011 – 2025)
  - One of the Top 50 Super Lawyers in Kentucky – *Super Lawyers Magazine* (2016, 2020 - 2025)
  - Defense Lawyer of the Year – *Kentucky Defense Counsel* (2016)
  - Fellow – Litigation Counsel of America, the Trial Lawyer Honor Society (2009)
  - AV<sup>®</sup> Preeminent Rated – Martindale-Hubbell
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## PROFESSIONAL AFFILIATIONS

- Member (“Master” level), Salmon P. Chase Inn of Court (President, 2020 – 22)
  - Kentucky Bar Association; Member, Board of Governors, 2008 – 2014
  - American Bar Association
  - Northern Kentucky Bar Association
  - Kentucky Academy of Hospital Attorneys
  - Kentucky Defense Counsel; Chair, Amicus Curiae Committee, 2013 – 2019
  - Defense Research Institute
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## NOTABLE DECISIONS



- *Summit Medical Group, Inc. v. Coleman*, 2022 WL 1697800 (Ky. App. 2022)
- *Gunn v. Wild*, 2021 WL 5853586 (E.D. Ky. 2021), *aff'd*, 2022 WL 18401276 (6th Cir. 2022) *cert. denied* (U.S. Sup. Ct. 2025)
- *Molina Healthcare of Kentucky, Inc. v. Anthem Kentucky Managed Care Plan, Inc.*, 2022 WL 4112393 (Ky. App. 2022)
- *Summit Medical Group, Inc., v. Coleman*, 2019 WL 5655909 (Ky. App. 2019)
- *Mitchell v. Baptist Physicians Lexington, Inc.*, 2017 WL 3328111 (Ky. App. 2017)
- *Barbourville Diagnostic Imaging Center v. Philips Medical Systems, Inc.*, 2016 WL 697135 (E.D.Ky. 2016)

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- *Hitch v. St. Elizabeth Medical Center, Inc.*, 2016 WL 1557734 (Ky. App. 2016)
- *Berger Family Real Estate, LLC v. City of Covington*, 464 S.W.3d 160 (Ky. App. 2015)
- *Wanandi v. Black*, 2015 WL 2084511 (Ky. App. 2015)
- *Fenn v. Philips Electronics North America Corp.*, 2015 WL 632154 (E.D. Ky. 2015)
- *Alzadon v. Highlands Hosp. Corp., Inc.*, 2014 WL 3887900 (Ky. App. 2014)
- *Sandoz Inc. v. Commonwealth ex rel. Conway*, 405 S.W.3d 506 (Ky. App. 2012)



- *Dierig v. Lees Leisure Industries LTD.*, 830 F.Supp.2d 330 (E.D. Ky. 2011)
- *Gilbert v. Com., Cabinet for Health & Family Services*, 291 S.W.3d 712 (Ky. App. 2008)
- *Leonard v. St. Claire Medical Center, Inc.*, 2007 WL 625074 (Ky. App. 2007)
- *Physician Services, P.S.C. v. Birdwhistell*, 2007 WL 1558513 (E.D. Ky. 2007)
- *Cavana v. Love*, 2005 WL 1415361 (Ky. App. 2005)
- *Compton v. St. Elizabeth Medical Center, Inc.*, 2005 WL 327116 (Ky. App. 2005)
- *Straub v. Kilgore*, 100 Fed.Appx. 379 (6th Cir. 2004)
- *Johnson v. St. Claire Medical Center, Inc.*, 2003 WL 22149386 (Ky. App. 2003)

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## COMMUNITY INVOLVEMENT

- Member, Crestview Hills City Council
- Member, Lakeside Park/Crestview Hills Police Authority Board
- Member, Covington Latin School Alumni Association Board of Directors

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## PRESENTATIONS



- “Handling the Challenges of Pre-Trial and Trial Practice Both Ethically and Professionally,” Annual Convention of the Kentucky Bar Association, May 12, 2020. Panel discussion sponsored by the Kentucky Chapter of the American College of Trial Lawyers.
- “Effective iVoir Dire” – Annual Convention of the Kentucky Bar Association, Northern Kentucky Convention Center, Covington, Kentucky
- “Ethics in the Courtroom” – Northern Kentucky Bar Association, Summit Hills Country Club, Crestview Hills, Kentucky
- “Know Your Adversary: Recent Strategies and Tactics of the Plaintiff’s Bar” – (Moderator of Panel Discussion), Kentucky Defense Counsel, Marriott Downtown, Louisville, Kentucky
- “The Lawyer Discipline Process in Kentucky: How It Works, and How to Avoid It” – Northern Kentucky Bar Association, Central Bank, Florence, Kentucky
- “Kentucky Civil Procedure Update” – Northern Kentucky Bar Association, Receptions Conference Center, Erlanger, Kentucky
- “Defending the High-Value Injury Case” – Salmon P. Chase American Inn of Court, the Metropolitan Club, Covington, Kentucky
- “Important Recent Developments in Kentucky Civil and Trial Procedure” – Kentucky Defense Counsel, Newport Aquarium, Newport, Kentucky





- “No Further Questions, Your Honor – Effective Cross-examination of Expert Witnesses” – Annual Convention of the Kentucky Bar Association, Northern Kentucky Convention Center, Covington, Kentucky
  - “Trial Strategies & Techniques from Leading Attorneys on Both Sides of the Bar: Use of Demonstrative Evidence and Technology in the Courtroom” – Joint Seminar of the Kentucky Justice Association and Kentucky Defense Counsel, Louisville, Kentucky and Lexington, Kentucky
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## **PUBLICATIONS**

- “Admissibility of Expert Opinion in Kentucky – Substantive and Procedural Considerations,” Kentucky Bench & Bar (co-authored with Ryan M. McLane), Sept./Oct. 2019
  - Author, Vols. 6 and 7, Kentucky Practice, Rules of Civil Procedure Annotated (Thomson/Reuters/West)
  - Thomson Reuters “Practical Law” Series, Kentucky Contributor on Civil Litigation and Civil Appeals, (May 2017 – 2022)
  - “High/Low Settlement Agreements,” Kentucky Bench & Bar
  - “Overview of Federal Antitrust Law in the Health-Care Field,” Health Law Handbook (1st Ed.), University of Kentucky CLE Institute (Co-authored with Robert G. Stevens)
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## **ADMISSIONS**



- Commonwealth of Kentucky
  - State of Ohio
  - U.S. District Court, Eastern and Western Districts of Kentucky
  - U.S. District Court, Southern District of Ohio
  - U.S. Court of Appeals for the Sixth Circuit
  - Supreme Court of the United States
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## EDUCATION

- J.D., University of Kentucky, 1983
- H.A.B., Xavier University, *cum laude*, 1980

