

**Daniel F. Gourash**  
**Seeley, Savidge, Ebert & Gourash Co., LPA**  
**26600 Detroit Road**  
**Cleveland, Ohio 44145**  
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**Education:**

University of New Haven, B.A. 1980 (summa cum laude)

Duke University School of Law, J.D., 1983

**Employment:**

Hahn, Loeser, Dean and Wellman

Associate, 1983-1986

Porter, Wright, Morris & Arthur, LLP

Partner, 1986-2007

Seeley, Savidge, Ebert & Gourash Co., LPA

Shareholder, 2007- present

Director, Complex Litigation Department

Co-Director, Insurance Coverage Department

**Practice:**

Experienced litigation, trial and appellate lawyer with a focus on complex litigation and insurance coverage. Relevant experience regarding financial institutions, fidelity bonds, fraud investigation and bad faith include:

- Participated on trial team representing the State of Ohio in multiple actions arising from the failure of the Home State Savings & Loan
- Participated on investigative and trial teams representing the Resolution Trust Corporation in matters involving the takeover and recovery actions for Caguas Federal Savings & Loan Association of Puerto Rico and the Superior Savings & Loan Association of Euclid, Ohio
- Lead investigative and trial teams representing multiple major life insurance companies against rogue agent operating a fraudulent scheme of flipping large death benefit policies in several states
- Lead investigative and trial teams representing policyholders against rogue agent involved in fraudulent scheme of selling non-existent policies in multiple states leading to criminal prosecution in Texas
- Lead coverage and litigation efforts defending insurance carrier in bad faith litigation arising from denial of coverage for fidelity theft claim arising from co-mingling of funds of large health insurance third-party administrator
- Lead coverage and litigation efforts defending insurance carrier in bad faith claim by a large national bank arising from alleged fraud in sale of large office building

- Defended insurance carrier in bad faith action arising from runaway verdict in significant injury action that resulted in plaintiff counsel conviction
- Defended insurance carrier in bad faith action arising from fraudulent scheme by broker and agent to sell non-existent habitation insurance coverage involving multiple underlying claims which resulted in criminal conviction of agent in Illinois
- Many other war stories available upon request

**Published Opinions:**

**J & C Marketing, L.L.C., v. McGinty,**

4 N.E.3d 1063, 2013 -Ohio- 4805, Ohio App. 8 Dist., October 31, 2013 (NO. 99676)

**The Renco Group, Inc. v. Certain Underwriters at Lloyd's, London,**

362 S.W.3d 472, Mo.App. E.D., March 20, 2012 (NO. ED96801)

**Bondex Intern., Inc. v. Hartford Acc. and Indem. Co.,**

667 F.3d 669, C.A.6 (Ohio), November 28, 2011 (NO. 08-4735, 09-3307, 09-3304, 09-3092, 09-3091)

**In re Heparin Products Liability Litigation,**

273 F.R.D. 399, N.D. Ohio, January 24, 2011 (NO. MDL 1953)

**Robinson v. Baxter Healthcare Corp.,**

724 F.Supp.2d 840, N.D. Ohio, July 21, 2010 (NO. 1:10HC60114)

**Boyd v. Lincoln Elec. Co.,**

179 Ohio App.3d 559, 902 N.E.2d 1023, Prod.Liab.Rep. (CCH) P 18,120, 2008 -Ohio- 6143, Ohio App. 8 Dist., November 26, 2008 (NO. 90315)

**Bellman v. Am. Internatl. Group,**

113 Ohio St.3d 323, 865 N.E.2d 853, 2007 -Ohio- 2071, Ohio, May 16, 2007 (NO. 2005-2162)

**Yessenow v. Aue Design Studio, Inc.,**

165 Ohio App.3d 757, 848 N.E.2d 563, 2006 -Ohio- 1202, Ohio App. 8 Dist., March 16, 2006 (NO. 86580, 86888)

**Bellman v. Am. Internatl. Group,**

163 Ohio App.3d 540, 839 N.E.2d 430, 2005 -Ohio- 5250, Ohio App. 6 Dist., September 30, 2005 (NO. L-03-1301)

**In re Welding Fume Products Liability Litigation,**

364 F.Supp.2d 669, 21 O.S.H. Cas. (BNA) 1253, N.D. Ohio, April 05, 2005 (NO. MDL NO. 1535, 1:03-CV-17000)

**McWane, Inc. v. Fidelity & Deposit Co. of Maryland,**

372 F.3d 798, 2004 Fed.App. 0191P, C.A.6 (Ohio), June 22, 2004 (NO. 02-4225, 02-4152)

**GenCorp, Inc. v. AIU Ins. Co.,**

304 F.Supp.2d 955, N.D. Ohio, January 21, 2004 (NO. 1:02 CV 1770)

**Young v. Chubb Group of Ins. Companies,**

295 F.Supp.2d 806, N.D. Ohio, December 15, 2003 (NO. 3:03 CV 7301)

**GenCorp, Inc. v. AIU Ins. Co.,**

297 F.Supp.2d 995, N.D. Ohio, October 15, 2003 (NO. 1:02CV1770)

**Clark v. Chubb Group of Ins. Cos.,**

337 F.3d 687, 2003 Fed.App. 0250P, C.A.6 (Ohio), July 25, 2003 (NO. 01-4178)

**Lee-Lipstreu v. Chubb Group of Ins. Companies,**

329 F.3d 898, 2003 Fed.App. 0146P, C.A.6 (Ohio), May 19, 2003 (NO. 01-3868)

**Chase v. Brooklyn City School Dist.**

141 Ohio App.3d 9, 749 N.E.2d 798, 154 Ed. Law Rep. 650, Ohio App. 8 Dist., January 16, 2001 (NO. 77263)

**GenCorp, Inc. v. AIU Ins. Co.**

104 F.Supp.2d 740, N.D. Ohio, June 02, 2000 (NO. 5:95CV2464)

**Halton v. Great Clips, Inc.**

94 F.Supp.2d 856, N.D. Ohio, April 20, 2000 (NO. 1:99 CV 706)

**Kumar v. Higgins,**

91 F.Supp.2d 1119, 24 Employee Benefits Cas. 2555, N.D. Ohio, April 10, 2000 (NO. 1:99CV3072)

**White v. Smith & Wesson Corp.**

97 F.Supp.2d 816, N.D. Ohio, March 14, 2000 (NO. 1:99 CV 1134)

**Cleveland Bar Assn. v. Cicirella,**

86 Ohio St.3d 544, 715 N.E.2d 1131, Ohio, September 08, 1999 (NO. 0982, 99-834)

**Carpetta v. The Pi Kappa Alpha Fraternity,**

100 Ohio Misc.2d 42, 718 N.E.2d 1007, 138 Ed. Law Rep. 914, Ohio Com.Pl., March 10, 1998 (NO. CI96-3728)

**Playboy Enterprises, Inc. v. Russ Hardenburgh, Inc.**

982 F.Supp. 503, 1998 Copr.L.Dec. P 27,771, N.D. Ohio, November 25, 1997 (NO. 1:93 CV 0546)

**Gencorp, Inc. v. AIU Ins. Co.,**

970 F.Supp. 1253, N.D. Ohio, May 20, 1997 (NO. 5:95-CV-2464)

**Resolution Trust Corp. v. Zimmerman,**

853 F.Supp. 1016, N.D. Ohio, May 27, 1994 (NO. 1:93 CV 2266)

**Arnold v. Cleveland,**

67 Ohio St.3d 35, 616 N.E.2d 163, Ohio, August 11, 1993 (NO. 92-105, 7758)

**Publications:**

Chapter, “How to Defend a US-Style Deposition, Evidence in International Arbitration Proceedings, Association Internationale des Juenes Avocats (1994)

Editor, Spoliation of Evidence—Sanctions and Remedies for Destruction of Evidence in Civil Litigation, American Bar Association Press, (2000, 1<sup>st</sup> ed.) (2006, 2<sup>nd</sup> ed.)(2013 3<sup>rd</sup> ed.)

Article, “Significant Ohio Supreme Court Cases to Know in 2012”, Bar Journal of the Cleveland Metropolitan Bar Association, Vol. 4, No. 7 (Feb. 2012)

Article, “Crisis in the Third Branch—A Call to Action”, ABA Tort Trial and Insurance Practice Section, TortSource, Vol. 17, No. 1 (Fall 2014)

**Honors:**

AV Peer Review Rating, Martindale-Hubbell, 2008

AV Preeminent Peer Review Rating, Martindale-Hubbell, 2013-present

Super Lawyer, Insurance , 2011- present

Best Lawyers in America Insurance, 2011-present

Top Law Firm in America, Insurance, 2013- present

## **Bar Admissions:**

Ohio Supreme Court, 1983  
U. S. District Court, Northern District of Ohio, 1984  
U.S. District Court, Southern District of Ohio, 2003  
U.S. District Court, Eastern District of Michigan, 1987  
U.S. District Court, Southern District of Indiana, 2004  
U. S. Court of Appeals for the Sixth Circuit, 1985  
U.S. Supreme Court, 1994  
U.S. Court of Appeals for the Fifth Circuit, 2017

## **Associations and Organizations**

American Bar Association (1983-present)

Former Chair, Young Lawyers Division, 1993-94  
Former Chair, Lawyers Conference, Judicial Division, 2005-06  
Former Chair, Publications Editorial Board, TTIPS  
Former Member, Section Council, TTIPS  
Former Member, Board of Directors of the American Bar Foundation  
Life Member, American Bar Foundation  
Former Delegate, ABA House of Delegates

Ohio State Bar Association (1983-present)

Member, Insurance Coverage Specialty Board (2011-present)(established specialty in Ohio and wrote tests for certification)  
Former Delegate from Ohio to ABA House of Delegates  
Litigation and Insurance Committees (2000-present)

Cleveland Metropolitan Bar Association (1983-present)

Multiple Committees  
Chair, Insurance Section 2016-2017

Westshore Bar Association (2011-present)

## **Hobbies and Interests:**

Sailboat racing, fly fishing, coaching youth sports, Taekwondo Second Dan,