

W. David Maxwell

Counsel

Washington, D.C.

Biography

An experienced litigator, David Maxwell helps clients navigate high-stakes disputes in courts across the country, with a focus on class actions and multidistrict litigation. He advises Fortune 500 clients in a variety of industries, including health care, life sciences, and technology companies.

David has a track record of success at all stages of civil litigation. He has served as trial counsel in both bench and jury trials. He also has deep experience briefing dispositive motions, class certification motions, and appeals. David has frequently led expert strategy, developing persuasive economics and other expert testimony. He has leveraged technology to manage discovery efficiently and has extensive experience taking and defending depositions. And when litigating is not the best path forward, he has crafted favorable settlements. He has particular experience with antitrust, health insurance, and consumer protection disputes.

David is committed to pro bono. For nearly two years (2018-2020), he served as the firm's senior associate in charge of U.S. Pro Bono, litigating high-profile civil rights cases and managing the firm's Pro Bono practice. Recently, David won the largest jury verdict in a wrongful conviction case in U.S. history (US\$75m) as co-lead trial counsel, for which he was named a "Litigator of the Week" by the American Lawyer. He also received national recognition for his work to exonerate Curtis Flowers, who was wrongfully convicted and spent over 23 years on death row in



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Practices

Litigation Services

Industries

Insurance

Life Sciences and Health Care

Technology and Telecoms

Areas of focus

Antitrust and Competition Litigation

Class Actions and Group Litigation

False Advertising and Unfair Competition

Consumer Protection and Privacy

Food and Beverages

Mississippi. He was a key member of a team that successfully challenged the use of solitary confinement on death row in Virginia, resulting in a landmark federal court decision. And he represents a class of indigent defendants in Idaho deprived of their Sixth Amendment right to counsel.

Prior to joining Hogan Lovells, David served as a judicial law clerk to the Honorable Todd M. Hughes of the U.S. Court of Appeals for the Federal Circuit.

Representative experience

Won largest jury verdict in a wrongful conviction case in U.S. history (US\$75m) as co-lead trial counsel.

Defended hospital system at trial in antitrust case brought by the Federal Trade Commission to block merger with competing hospital system.

Represent health insurance companies in high-profile antitrust multidistrict litigation.

Won dismissals and motions to compel arbitration for leading technology company in multidistrict class-action litigation arising out of a cyberattack.

Defended health insurance company in multidistrict class-action litigation and regulatory investigations arising from the largest health-related cyberattack in U.S. history.

Represented individuals serving death or life sentences in postconviction proceedings and prison conditions cases in Texas, Virginia, Maryland, and Mississippi.

Awards and rankings

- Litigator of the Week, *The American Lawyer*, 2021
- Frederick Douglass Human Rights Award, *Southern Center for Human Rights*, 2020
- Champions of Justice Honoree, *Mississippi Center for Justice*, 2020

Latest thinking and events

- Press releases

Education and admissions

Education

J.D., Duke University School of Law, magna cum laude, 2014

B.A., University of North Carolina at Chapel Hill, with highest distinction, Phi Beta Kappa, 2010

Bar admissions and qualifications

District of Columbia

Georgia

Court admissions

U.S. Court of Appeals, Federal Circuit

U.S. District Court, District of Colorado

- Hogan Lovells welcomes the New Year with 28 new partner and 59 new counsel promotions
- Press releases
 - Hogan Lovells wins appeal in decision affirming historic jury verdict in wrongful conviction case
- Awards & rankings
 - Hogan Lovells trial team wins Public Justice '2022 Trial Lawyer of the Year' award for pro bono work in wrongful conviction case
- Press releases
 - Hogan Lovells and Mississippi Center for Justice file lawsuit against District Attorney Doug Evans over wrongful prosecution of Curtis Flowers
- News
 - Supreme Court tightens standing requirements for class actions
- Press releases
 - Hogan Lovells obtains \$75 million verdict in pro bono civil rights case brought on behalf of wrongfully convicted brothers