



David Adler

Partner

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David Adler is an attorney in our Litigation & Dispute Resolution, Appellate, and Insurance practice groups. He specializes in commercial and general liability matters with a focus on contract disputes and business torts, the defense of injury and property damage claims, real estate litigation, and insurance coverage. David has extensive litigation practice experience at both the trial and appellate levels.

Prior to joining Jaffe, David served as an intern in the Michigan State Appellate Defender Office and in the constituent services division in the Office of Governor, Jennifer Granholm. He also interned in the criminal division of the office of U.S. Attorney, Jeffrey G. Collins, in the Eastern District of Michigan.

Practice Areas

- Litigation & Dispute Resolution
- Appellate
- Insurance

Significant Matters

- In *Jessen v. CIGNA Group Ins.*, 812 F.Supp.2d 805 (E.D. Mich. 2011), David successfully challenged an ERISA plan administrator's denial of benefits following the untimely death of a plan participant, resulting in the district court's ordering payment of full benefits and interest totaling over \$500,000.
- In *Dorsey v. Taubman Auburn Hills Associates*, 2017 WL 1367162 (Mich. Ct. App., April 13, 2017), David tackled Michigan's application of the open and obvious doctrine, persuading the Court of Appeals to uphold the dismissal of a trip-and-fall action over the plaintiff's contention that a sidewalk sealant material appeared solid rather than pliable before it was encountered.
- In *Morrish v. Sun Communities, Inc.*, 2018 WL 4576738 (Mich. Ct. App., September 20, 2018), David convinced the Court of Appeals to uphold the dismissal of an injury action on the grounds, among other things, that a landlord owes no contractual duty to an authorized leasehold resident who is not an actual party to the subject lease contract.
- In *Frank v. Linkner*, 500 Mich. 133 (2017) the Michigan Supreme Court reinstated a trial court ruling that David assisted in obtaining, thereby creating new precedent clarifying both when claims for member oppression accrue under the Michigan Limited Liability Company Act and the limitations periods applicable to such claims.

Education and Admissions

Education

- Wayne State University Law School
J.D., *cum laude*
Order of the Coif
- University of Michigan
B.S.

Bar Admissions

- Michigan

Court Admissions

- U.S. District Court for the Eastern District of Michigan
- U.S. District Court for the Western District of Michigan

Affiliations

- Michigan Chapter of Gift of Adoption, Board Member
- State Bar of Michigan

Recognition

- *Super Lawyers*, Michigan Rising Star 2013-2017

Publications

- 'Injunctive Relief for Failure to Pay Rent? Pleas of 'Impending Financial Ruin' by Commercial Real Estate Investors,' *The Michigan Real Property Review*, Winter 2010, Vol. 37, No. 4