



**DAVID W. HARLAN**  
**PARTNER**

dharlan@senniger.com

Voice: (314) 345-7012

Fax: (314) 345-7600

**AREAS OF FOCUS**

Litigation involving Intellectual Property,  
Antitrust, Business and Commercial  
Disputes, Business Crimes and Parallel  
Proceedings

Mr. Harlan is a trial and appellate attorney with extensive experience in the federal and state courts. He has brought and defended civil actions on behalf of entities and individuals in a broad range of business disputes involving, for example, patent infringement, trademark infringement, control disputes, breaches of contract, fraud and breach of fiduciary duty, RICO, lender's liability, insurance coverage and employment issues. He also has counseled clients and litigated matters involving issues of antitrust law, including representation of a manufacturing company in a 56-day jury trial in which, as lead trial counsel, he secured a \$105 million judgment.

He also served as First Assistant U.S. Attorney of St. Louis and was responsible for prosecution of major federal criminal cases. Capitalizing on this experience, Mr. Harlan has defended corporations, their officers and employees from criminal charges involving business matters such as price fixing, environmental pollution, government program fraud, mail fraud, false statements and other business-related criminal charges.

Mr. Harlan is a member of the Bar Association of Metropolitan St. Louis (former chairperson of its antitrust subcommittee), the Missouri Bar Association and the American Bar Association (Litigation, Antitrust, Business, Intellectual Property and Criminal Law Sections). He serves as co-chairman of the Federal Practice Committee of the U. S. District Court for the Eastern District of Missouri and is chairperson of the Board of Trustees of the Federal Practice Memorial Trust.

Mr. Harlan received his Bachelor of Arts in 1964 and his Juris Doctorate in 1967, both from Saint Louis University.

At Senniger Powers, Mr. Harlan is responsible for intellectual property litigation and continues to handle antitrust and other complex commercial litigation, as well as white collar defense.

Mr. Harlan was named a Super Lawyer in the 2009 issue of Missouri & Kansas Super Lawyers, a recognition given to the top 5 percent of lawyers per jurisdiction. He was selected for inclusion in the 2011 edition of *The Best Lawyers in America*®.

**EDUCATION**

Saint Louis University (B.A., 1964)

Saint Louis University (J.D., 1967)

**BAR INFORMATION**

Bar Association of Metropolitan St. Louis

Missouri Bar Association

American Bar Association

Supreme Court of the United States, Admitted 1985

Supreme Court of Missouri, Admitted 1967

Tenth Circuit Court of Appeals, Admitted 1976

Eighth Circuit Court of Appeals, Admitted 1972

Seventh Circuit Court of Appeals, Admitted 1991

United States District Court for the Eastern District of Missouri, Admitted 1967

United States District Court for the Western District of Missouri, Admitted 1997

United States District Court for the Central District of Illinois, Admitted 1988

United States District Court for the Southern District of Illinois, Admitted 1996

**SPEAKING ENGAGEMENTS**

Panelist: Antitrust 2001: A Morning with the Department of Justice, Federal Trade Commission and Missouri Attorney General's Office, Panel Discussion, BAMSL, Antitrust Committee (2001)

Panelist: Is 'Relevant Conduct' Relevant? Reconsidering the Guidelines Approach to Real Offense Sentencing, Sentencing Symposium, Saint Louis University Law Journal (2000)

**SPEAKING ENGAGEMENTS (CONTINUED)**

Antitrust Compliance: It's Not Your Grandfather's Program Anymore, St. Louis Bar Journal, Antitrust Law Special Issue (1999)

**PUBLISHED ARTICLES**

Preparing Your CEO for Testimony - Taking the Boss to the Woodshed, Price Waterhouse General Counsel Forum (1997)

Federal Sentencing Guidelines for Organizations, Webster University (1993)

Threshold Antitrust Issues in Peer Review Litigation, BAMSL, Antitrust Law and Health Care Committee Seminar "Antitrust Issues in Healthcare Today" (1992)

Tortious Interference With Contract and Business Relationships, University of Missouri-Kansas City School of Law/Continuing Legal Education, Business Torts Seminar (1992)

Prosecution of Corporate Officers and Directors for Environmental Violations, with J. Bennett Clark, 10th Annual St. Louis Corporate Counsel Institute (1991)

The Business Client and Federal Grand Jury Investigations: What To Do and What Not To Do, with J. Bennett Clark, BAMSL, Business Law Section (1989)

Motion Practice, with Hon. George F. Gunn, Jr., United States District Judge, March 1988, Federal Practice Seminar, Federal Practice Memorial Trust (1988)

Changing Standards for Summary Judgment, 8th Circuit Judicial Conference, Eastern District of Missouri, Presentation (1987)