
David W. Earley

SHAREHOLDER

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David represents businesses, corporations, insurers, and individuals in all state and federal courts in North Carolina. His practice focuses on complex civil litigation, business litigation, insurance coverage and bad faith litigation, insurance defense, professional liability, product liability, and appeals.

David's insurance practice includes advising insurers and policyholders on a variety of policies, including Homeowners policies, Renters policies, Business and Personal Auto policies, Commercial General Liability policies, Umbrella policies, Excess policies, Errors & Omissions (E&O) policies, Directors & Officers (D&O) policies, Professional Liability policies, Farm policies, Church policies, and Cyber policies. He analyzes coverage provisions, exclusions, conditions, and liability exposure and prepares coverage analyses and reservation of rights letters. He also represents insurers in all phases of coverage litigation. David also has experience in addressing time-limited settlement demands. David is recognized in the 2024 edition of *Best Lawyers: Ones to Watch[®] in America* in the area of Insurance Law.

David's professional liability practice includes defending engineers, accountants, attorneys, insurance brokers, and other professionals.

David has been with the firm since 2016. He was voted a shareholder in 2020.

Before joining Young Moore, David served as a law clerk to Judge James A. Beaty, Jr. of the United States District Court for the Middle District of North Carolina.

David also previously served as an attorney at the Brennan Center for Justice at NYU School of Law. At the Brennan Center, he worked on election law matters across the country, including cases before the U.S. Supreme Court. David testified before the New York Attorney General, West Virginia Legislature, and Seattle City Council on proposed election law changes. David also published reports on election law issues, one of which was the subject of laudatory editorials in *The New York Times* and *The Washington Post*.

David graduated *cum laude* from NYU School of Law where he was an Article Editor for the *New York University*

Annual Survey of American Law. He earned his B.S. in Economics, *magna cum laude*, from Duke University.

David is a native of Parkersburg, West Virginia. He lives with his wife in Raleigh.



Education & Bar Admissions

- J.D., *cum laude*, New York University School of Law, 2010
- B.S., *magna cum laude*, Duke University, 2007

Admitted in

- U.S. Court of Appeals for the 4th Circuit
- U.S. District Court for the Eastern District of North Carolina
- U.S. District Court for the Middle District of North Carolina
- U.S. District Court for the Western District of North Carolina
- North Carolina, 2013
- New York, 2011

Focus Areas

- Business Litigation
- Insurance Coverage & Bad Faith Litigation
- Insurance Defense
- Product Liability
- Professional Liability
- Appellate Practice

Achievements

- Recognized in the 2024 edition of *Best Lawyers: Ones to Watch[®] in America* in the area of Insurance Law
- *New York University Annual Survey of American Law*, Article Editor

Activities

- North Carolina Bar Association
 - Insurance Law section
 - Litigation section
- Wake County Bar Association
- Tenth Judicial District Bar

Publications & Presentations

- E&O and Professional Liability Insurance, author, North Carolina Bar Association, Insurance Law Section Annual Meeting, January 2019.
- *Williams-Yulee* and the Inherent Value of Incremental Gains in Judicial Impartiality, 44 Vand. L. Rev. En Banc 43, coauthor, January 2015.
- Testimony on Improving Campaign Finance Disclosure in West Virginia, October 2014.
- *After Citizens United: The Story in the States*, Brennan Center report, coauthor, October 2014.
- IRS to Propose Stronger Limits on Nonprofit Political Spending, Brennan Center blog, June 2014.
- Think Tanks Have Little to Fear from New IRS Rules, Transparify blog, April 2014.
- Post-*McCutcheon v. FEC* interview, UpFront with Brian Edwards-Tiekert, KPFA radio, April 2014.
- Post-*McCutcheon v. FEC* interview, KPSI radio, April 2014.
- Post-*McCutcheon v. FEC* interview, The Source, Texas Public Radio, April 2014.
- A Supreme Court Preview of *McCutcheon v. FEC* and the Events that Led Up to It, presentation to the League of Women Voters of New Jersey, March 2014.
- SCOTUS and the Future of the Recess Appointment Power, Brennan Center report, coauthor, January 2014.
- Big Money Club, Arise America television program, January 2014.
- Money in Politics Today: *McCutcheon v. FEC* and Other Issues, presentation to the Cornell Law School American Constitution Society, November 2013.
- *McCutcheon v. FEC* interview, Eight O'Clock Buzz Show, WORT radio, October 2013.
- *McCutcheon v. FEC* interview, Mike Feder SiriusXM Radio, October 2013.
- Financing Campaigns, *Crain's New York Business*, letter to the editor, August 2013.

- When Bathtub Crocodiles Attack: The Timing and Propriety of Campaigning by Judicial Retention Election Candidates, 68 N.Y.U. Ann. Surv. Am. L. 239, published 2012.
- New York Takes Big Step Toward Nonprofit Political Spending Transparency, Brennan Center blog, June 2013.
- Testimony Before the Seattle City Council on Public Financing of Elections, February 2013.
- Fourth Circuit Upholds Most of Challenged W. Va. Disclosure Laws, Brennan Center blog, January 2013.
- NY Attorney General Calls for Comprehensive Campaign Finance Reforms, Brennan Center blog, January 2013.
- Testimony on New York Attorney General's Proposed Regulations Regarding Political Spending by Nonprofit Organizations, January 2013.
- Donors and Charities Need Protection as Secret Political Spending Grows, *Chronicle of Philanthropy*, January 2013.
- State Fights Secret Spending, *Times Union* (Albany, NY), December 2012.
- Transparency for Corporate Political Spending: A Federal Solution, Brennan Center report, coauthor, August 2012.
- Maryland Seeks to Strengthen Campaign Finance Laws, Brennan Center blog, June 2012.
- FEC Unanimously Approves Political Contributions via Text Messages, Brennan Center blog, June 2012.
- Testimony for Maryland General Assembly Commission to Study Campaign Finance Law, coauthor, June 2012.

Milestones

- Goode v. Leisure Entertainment Corp., 285 N.C. App. 424, 876 S.E.2d 913 (Table), 2022 WL 4074816 (2022)
- Dow-Rein v. Sarle, 281 N.C. App. 670, 869 S.E.2d 359, 2022-NCCOA-92 (2022)
- Dow-Rein v. Sarle, 272 N.C. App. 446, 843 S.E.2d 731 (Table), 2020 WL 3708309 (2020)
- Delaware Strong Families v. Attorney General of Delaware, 793 F.3d 304 (3d Cir. 2015) (amicus brief)
- Burwell v. Hobby Lobby Stores, 134 S. Ct. 2751 (2014) (amicus brief)
- McCutcheon v. Federal Election Commission, 134 S. Ct. 1434 (2014) (amicus brief)
- Center for Individual Freedom v. Tennant, 706 F.3d 270 (4th Cir. 2013) (amicus brief)
- American Tradition Partnership v. Bullock, 132 S. Ct. 2490 (2012) (amicus brief)

Disclaimer: The above information may not necessarily reflect the attorney's entire record, and the outcome of any particular future matter cannot be predicated on the attorney's or law firm's past results.

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