Wheeler Trigg O'Donnell

David J. Schaller

Partner

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Won Jury Verdict for Healthcare Professionals

RECOGNIZED BY Super Lawyers 2026 Wheeler Trigg O'Donnell LLP

Dave Schaller represents sophisticated clients across a wide range of practice areas. He has defended clients and tried cases to verdict in complex commercial actions, high-stakes professional liability matters, healthcare liability matters, wage and hour class actions, FLSA collective actions, catastrophic trucking litigation, high-stakes personal injury actions, and products liability cases. His clients include Fortune 500 companies, international shipping companies, legal professionals, and health care professionals.

Dave has successfully tried cases and arbitrations, and conducted multiple evidentiary hearings. He has argued and prevailed on numerous dispositive motions in state and federal court, saving

his clients time and money by circumventing the need to go to trial. Additionally, he has led large-scale mediations, obtaining favorable results for his clients.

In addition to his trial practice, Dave has significant experience developing and implementing strategic plans for discovery and electronic discovery in large scale cases, including developing ESI protocols, and managing the collection, review, and production of electronic discovery. He enjoys working with clients to identify their goals for litigation, and collaborating with them to develop litigation and business strategies. He has earned a reputation for appreciating his clients' priorities, and resolving legal disputes creatively and efficiently.

Credentials

Education

University of Denver Sturm College of Law, J.D., 2003, Order of St. Ives

University of Massachusetts, B.A., 1991, English and Psychology

RECOGNITION

Colorado Super Lawyers
Business Litigation, 2014-2026

Colorado Rising Stars
Business Litigation, 2010-2013

LEGAL MEMBERSHIPS

American Bar Association

Colorado Bar Association

Denver Bar Association

Defense Research Institute

BAR AND ADMISSIONS

Colorado
U.S. Court of Appeals, 10th Circuit
U.S. Court of Appeals, 1st Circuit

U.S. District Court, D. Colorado
U.S. District Court, D. New Mexico

ARTICLES AND PRESENTATIONS

Presenter, "Franchise Drafting Tips from Franchise Litigators: Common Provisions Leading to Unintended Consequences," The Colorado Bar Association, Franchise Law Subsection.

Presenter, "Business Documents and Document Drafting From the Perspective of Litigators - The Big Blunders!" The Colorado Bar Association, Business Law Institute.

Presenter, "The Lifecycle of Litigation - Avoiding (Or Managing) A Trainwreck," The Colorado Bar Association, Business Law Institute.

"Trial Coach," Colorado Defense Lawyers Association Annual Trial Academy.

Presenter, "What Business Lawyers Do That Litigators Love: Your Worst Nightmares," The Colorado Business Law Institute.

Presenter, "A Roadmap for Successful Arbitration," The Association for Corporate Counsel Colorado Chapter.

TEACHING POSITIONS

National Institute for Trial Advocacy
Instructor - Rocky Mountain Deposition Skills Program and Trial Skills Program

Advanced Advocates Training Program for the National Organization of Bar Counsel
Instructor

Practices

Catastrophic Injury
Class Actions
Commercial Litigation
Employment/Class Actions
Franchise
Healthcare Litigation

Cases

EMPLOYMENT/CLASS ACTIONS

Defeated class and collective actions nationwide for a Fortune 500 company, including decertification of one of the largest FLSA collectives in U.S. history.

Defeated Rule 23 class certification of state law overtime claims in federal court in New Mexico for an international shipping company.

Represented an international shipping and package delivery company in numerous arbitrations involving alleged independent contractor misclassification.

Successfully represented employers in noncompete and trade secret litigation, including obtaining injunctive relief against a former employee of a solar power plant developer for violation of noncompete and nondisclosure agreements.

Obtained decertification of an FLSA conditional collective that had been certified before we took over the case. After the decertification decision was issued, lawyers for the plaintiffs conceded that another pending nationwide case–which we also were defending–should be decertified as well.

Defeated conditional certification of an FLSA and state law putative collective action in federal court in Virginia for an international shipping company.

Obtained complete dismissal of a ten-count discrimination complaint against a Fortune 100 client. We won the ensuing appeal to the Tenth Circuit, affirming the trial court's dismissal in full.

HEALTHCARE LITIGATION

Won a defense jury verdict for healthcare professionals facing negligence claims in Seattle, Washington. The plaintiff claimed failure to timely diagnose cauda equina syndrome that led to permanent bowel and bladder incontinence. After plaintiff's counsel asked the jury for $40 million, jurors returned a unanimous verdict for our clients.

OTHER

Represented a major REIT in class action arbitration initiated to recover damages related to a natural disaster.

Won a complete jury verdict for Chrysler Group LLC in a Missouri lawsuit involving an automobile dealer plaintiff claiming damages of tens of millions of dollars.

Co-managed with one other law firm the response to requests from 418 dealers for arbitration relating to the bankruptcy of Chrysler Group LLC and following Chrysler's termination of those dealerships. We litigated 187 of these Section 747 arbitrations, and, as directed by Congress, resolved all of the litigation within seven months--with a 96% success rate.

Won affirmation for Chrysler before the California Court of Appeals in an opinion that established favorable precedent for manufacturers operating in California. The Court affirmed a trial court's complete dismissal of claims against Chrysler for rejecting a prospective dealership purchaser.

Won a bench verdict in state court in a legal malpractice matter. After the law firm brought a collection action against a former client, the former client countered with a multimillion-dollar damages demand, claiming breach of fiduciary duty. Following a one-week trial, the judge dismissed the former client's counterclaim and awarded our client the full amount of fees owed plus interest.

Won Second Circuit affirmance for a Michelin subsidiary upholding summary judgment from the Southern District of New York. The case involved fraud perpetrated by a former employee and a third party.

First-chaired multiple arbitrations for an automotive dealer.

First-chaired multiple commercial arbitrations for an international shipping company.

Served as regional trial counsel to a leading national shipping company for high-stakes trucking litigation.

Won a complete defense verdict in a jury trial for an automotive manufacturer on claims challenging major aspects of the business operation.

Represented a major oil producer in arbitration to recover damages stemming from a business partner's breach of contract.

Defended an investment advisory firm in Cook County, IL against a $10 million professional negligence claim. After a two-week trial, the jury found for the defendant.

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