



## DAVID E. WRIGHT, PARTNER

David E. Wright practices primarily in business-related litigation and has extensive litigation, trial, and arbitration experience. These representations include a \$7.5 million trial judgment for minority shareholders resulting from a squeeze out merger and the enforcement of statutory dissenters rights for fair value. Mr. Wright has served as lead counsel in litigating cases involving novel and complex issues relating to minority shareholders, banking, corporations, partnerships, employment, professional liability, estates, contracts, and fiduciary matters.

### Other significant representations:

- Big 4 accounting firm defense on multi-million dollar class action claim, involving both traditional and novel theories
- Professional liability defense of a law firm in seven-figure claim relating to 25 or more underlying cases involving bank lending issues and bank regulatory issues, including federal administrative proceedings and federal tort claims
- Defense of bank against lender liability theories; international arbitration, defending damage claims seeking \$10 Million plus in damages
- New York arbitration of joint software development contract
- Defense of employment cases, including class actions involving federal and state law claims;
- Divorce case establishing value and a property award judgment arising from complex and fractionalized ownership of multiple closely held businesses, with ownership spread over three generations.

Mr. Wright has been a speaker and author on arbitration, foreclosure, shareholder disputes, minority shareholder claims, trust and fiduciary liability, contract law, and lender liability. He is a Distinguished Fellow of the Indianapolis Bar Foundation and is a civil mediator. A member of the Indianapolis, Indiana State, and American Bar Associations; Indiana Trial Lawyers Association,

### CONTACT INFORMATION

Phone 317.777.7460

Fax 317.264.6832

[dwright@kgrlaw.com](mailto:dwright@kgrlaw.com)

### EDUCATION

*Indiana University School of Law, Indianapolis, Indiana, J.D.*

*Indiana University, B.S.*

### BAR ADMISSIONS

*Indiana*

*U.S. District Court Northern District of Indiana*

*U.S. District Court Southern District of Indiana*

*U.S. Court of Appeals 7th Circuit*

### PRACTICE AREAS



Contract and Fiduciary Issue Litigation

Business Litigation

Litigation and Appeals

Employment Litigation

The Association of Trial Lawyers of America and the Litigation Counsel of America Trial Lawyers Honor Society. He is President of the Board of the White Star Endowment, Inc.

**Cases of Interest:**

- Piercing of Corporate Veil: (2015-2017)
- The “Binding” Letter of Intent, Corporate Acquisition Strategy Via Litigation: (2015)
- Trust/Estate Litigation Meets Corporate Minority Shareholder Litigation: (2014-2015)
- Shareholder Rights, Minority Shareholder Oppression: (2012-2015)
- Minority Owner Claims Prevail: Indiana Business Journal Article – Lees Inns of America, Inc. (2010)
- Indiana Supreme Court: \$7.5 Million Minority Value, Including Minority Owner Damages for Breach of Fiduciary Duty Sustained (2010)
- Lees Inns of America, Inc v. William E. Lee, Revocable Trust, et al.: Mr. Wright obtained a trial judgment exceeding \$7.5 million for minority shareholders resulting from a squeeze out merger and the enforcement of statutory dissenters rights for fair value, including the exclusion from value of certain value reducing transactions by the majority shareholder. (2008)
- “A Fractured Family Business” Indianapolis Star Article – Lees Inns of America, Inc. v. William E. Lee, Revocable Trust, et al. (2009)
- Arbitrator Authority Issue Considered by Indiana Supreme Court: (2006)
- Politically Appointed Board Exceeds Authority: (2006)

**PUBLISHED WORKS**

- “Indiana Foreclosure Procedures”, Lorman Ed. Serv., October, 1990
- “Indiana Foreclosure Procedures”, Lorman Ed. Serv., December, 1991
- “Prevention, Avoidance and Resolution of Destructive Shareholder Disputes”, Lorman Ed. Serv., October, 1993
- “Class Action: Establishment of a Class and the Class Certification Process: The Defendant’s Perspective”, IN State Bar Assoc., ICLEF, April, 1995
- “**Lending Liability Theories and Litigation Considerations**”, Lorman Ed. Serv., September, 2011

**PROFESSIONAL EXPERIENCE**

- Geiger & Peters, Inc. v. Berghoff, 854 N.E.2d 842 (Ind. App. 2006)
- Clay Tp. of Hamilton County ex rel. Hagan v. Clay Tp. Regional Waste Dist., 838 N.E.2d 1054 (Ind. App. 2005)
- KPMG, Peat Marwick v. Carmel Financial Corp., Inc., 784 N.E.2d 1057 (Ind. App. 2003)
- DSI, et al. v. Natare Corp., 742 N.E.2d 15 (Ind. Ct. App. 2000)
- Hedrick, et al. v. Tabbert, et al., 722 N.E.2d 1269 (Ind. Ct. App. 2000)
- Fleming v. Int’l Pizza Supply, 676 N.E.2d 1051 (Ind. 1997)
- KPMG Peat Marwick v. Asher, 689 N.E.2d 1283 (Ind. Ct. App. 1997)
- Austin Lakes Joint Venture v. Avon Util., 648 N.E.2d 641 (Ind. 1995)
- Prall v. Indiana Nat’l Bank, 627 N.E.2d 1374 (Ind. Ct. App. 1994)
- Rosi v. Business Furniture Corp., 615 N.E.2d 431 (Ind. 1993)
- Cavazzi v. Cavazzi, 597 N.E.2d 1289 (Ind. Ct. App. 1992)



**KROGER GARDIS & REGAS, LLP**  
— ATTORNEYS —

**DAVID E. WRIGHT, PARTNER**

- Indianapolis v. Twin Lakes Enterprises, Inc., 568 N.E.2d 1073 (Ind. Ct. App. 1991)

**PROFESSIONAL ASSOCIATIONS**

- Senior Fellow, Litigation Counsel of America
- Member, Trial Law Institute
- Member, Diversity Law Institute
- Fellow, Indianapolis Bar Foundation
- Civil Mediator
- Directorship of Community Bank (past)
- Indianapolis Bar Association
- Indiana State Bar Association
- American Bar Association
- Indiana Trial Lawyers Association
- The Association of Trial Lawyers of America
- Indianapolis Ballet Theatre, Inc., d/b/a Ballet Internationale, Past President, Board of Directors
- President, Board member of White Star Endowment, Inc.