

Daniel F. Diffley

Partner

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Dan Diffley serves as co-chair of Alston & Bird's Litigation & Trial Practice Group. A courtroom veteran, he focuses his practice on complex commercial litigation, including class action defense, insurance matters, products liability, professional malpractice, and other commercial disputes. As lead trial counsel, he has extensive experience representing Fortune 500 companies at trial, arbitration, and every other facet of commercial litigation. In nearly 20 years of practice, he has experience in a wide range of commercial disputes, including products liability, class actions, breach of contract, real estate, fraud, tax controversy, franchise, misappropriation of trade secrets, breach of fiduciary duty, professional liability and malpractice, insurance coverage, construction, transactional disputes, and estate/trust litigation.

Dan is listed in *The Best Lawyers in America*[®]. He is an experienced trial lawyer and has tried cases in federal and state courts around the country. In addition, Dan has extensive appellate experience and has represented clients in federal and state appellate courts throughout the country, including the U.S. Supreme Court.

Dan received his J.D. from the Wake Forest University School of Law in 2000, where he was a member of the *Wake Forest Law Review* and moot court board. He received his B.A., magna cum laude, in 1996 from the University of Richmond, where he was a member of Phi Beta Kappa.

Representative Experience

Commercial

- Lead trial counsel in various class actions and commercial, environmental, and products liability lawsuits for one of the world's largest construction products companies.
- Lead author of a successful cert petition to the Supreme Court on behalf the world's largest flooring products company.
- Over several years, represented the ownership of a major mixed-use development in Midtown Atlanta in various lawsuits. Ended in settlements.
- Defended the inventors of the combined PET/CT scanner in a challenge to ownership by a major U.S. university.
- Lead counsel for a national general contractor in a two-week jury trial in federal court.
- Obtained a jury verdict in federal court in favor of a publicly traded manufacturer of medical imaging equipment on a claim for breach of contract related to the purchase of medical imaging equipment. Upheld on appeal.
- Obtained, as lead counsel, a complete defense verdict after a jury trial on behalf of an Atlanta real estate developer for alleged fraud and breach of contract in a real estate transaction.
- Part of an Alston & Bird team that obtained a \$32 million arbitration award in a fraud, breach of contract, and federal RICO action on behalf of a real estate developer.

Insurance

- Lead counsel in numerous policyholder class actions for multiple nationwide insurance carriers.
- Obtained dismissals of multiple policyholder class actions in the areas of diminished-value and total-loss claims.
- Obtained dismissals of multiple federal class actions on behalf of a nationwide insurance carrier for insurance claims arising out of Hurricane Katrina.

Other

- Obtained a jury verdict in federal court on behalf of a regional construction company in a fraud and breach of contract action related to the purchase of construction equipment and a construction business.
- Lead counsel in various matters for the largest aquarium in the U.S.
- Advised charitable foundations, nonprofits, trusts, and fiduciaries on a wide range of disputes.

Professional & Community Engagement

- Wake Forest University School of Law Board of Visitors
- State Bar of Georgia
- Atlanta Bar Association

Education

- Wake Forest University (J.D., 2000)
- University of Richmond (B.A., 1996)

Admitted to Practice

- Georgia

Related Services

Litigation | Commercial | Class Action & Multidistrict Litigation | Real Estate & REITs | Appellate | Financial Services Litigation | Insurance Litigation & Regulation | Real Estate Litigation | High Exposure Claims, Coverage & Bad Faith Defense | Insurance Regulatory Guidance | Insurance-Related Antitrust Defense | Policy Drafting and Product Development | Policyholder Class Action Defense | Industrials & Manufacturing