

David S. Mitchell, Jr. MEMBER

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David concentrates his practice in business, financial services, and class action litigation. He has represented public and private companies in a variety of matters involving breach of contract disputes, business torts, class action defense, shareholder litigation, director liability claims, business fraud, whistleblower and qui tam lawsuits, and in conducting internal corporate investigations. His experience includes representing financial institutions and other creditors in both litigation and restructuring and insolvency matters including cases involving commercial workouts, receiverships and bankruptcies. Prior to joining Rose Law Firm, David practiced at Bass, Berry & Sims PLC.

David and his wife, Frances, are both natives of Little Rock and have a daughter, Susan Grace.



SERVICES

- Bankruptcy and Restructuring
- Class Action/Mass Action
- Commercial/Business Litigation
- False Claims Act/Qui Tam
- Financial Services Litigation
- Government and Internal Investigations
- Litigation
- Regulatory Administrative
- State and Local Government

INDUSTRIES

- Agriculture
- Aviation
- Construction
- Financial Institutions
- Governmental Entities
- Healthcare
- Large Equipment Dealers
- Real Estate
- Retail

EDUCATION

Washington & Lee University, Bachelor of Arts, Politics, 2007

University of Arkansas School of Law, magna cum laude, 2010

HONORS

- Mid-South Super Lawyers, Rising Star – Business Litigation, 2014-15
- Arkansas Law Review, Symposium Editor and Associate Editor

EXPERIENCE

- Representation of a publicly traded financial services client in defense of a putative nationwide Fair Debt Collection Practices ACT (FDCPA) class action
- Enforcement of an approximately \$30 million dollar foreign judgment through federal court veil-piercing action and other collection efforts against various entities and trusts affiliated with the judgment debtor
- Counsel to minority-ownership group of a hotel franchise in a business dispute with majority owner
- Representation of a high profile food services industry company in a fraud and embezzlement lawsuit against former employee and outside contractors
- Counsel to majority shareholder and director of a large, closely-held farming company in a shareholder dispute
- Representation of publicly traded national banking association in numerous litigation and insolvency matters
- Assist audit committee of a Fortune 500 company in conducting internal investigation and responding to employee's whistleblower claims
- Representation of an ambulance company owner in defense of Medicare and Medicaid fraud claims. Successfully obtained reversal on appeal to the Sixth Circuit for identity theft convictions
- Representation of an ambulance company owner in defense of Medicare and Medicaid fraud claims and successfully obtained reversal on appeal to the Sixth Circuit for identity theft convictions

AFFILIATION

- Arkansas Bar Association
- Pulaski County Bar Association
- Memphis Bar Association, Board of Directors, Young Lawyers' Division, 2014