

‘Always Aboveboard’

Parker Shaffie built a professional liability practice by ‘working both sides of the street.’

By Shane Nelson

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After 16 years as an insurance defense attorney regularly tackling legal malpractice cases, litigator David B. Parker decided he’d also like to occasionally represent plaintiffs.

“Unfortunately, there are many members of the legal profession that have no business practicing law,” Parker said, adding that it can be difficult for average consumers to find good legal representation.

“If you don’t know any lawyers, and you have to hire one, how do you even find one?” Parker continued. “Most people don’t know, and so the result is they can get hooked up with a lawyer who lacks competence. There are many lawyers who don’t want to turn away business, so they’ll take a case where they’re outside their depth. That’s one of the biggest sources of malpractice claims is the lawyer just simply didn’t have the experience and the knowledge to do it and didn’t recognize their own limitations or at least didn’t care.”

The founding partner at Parker Shaffie LLP in Los Angeles, Parker first launched the professional liability litigation boutique in 1995, looking to create a small firm with an intimate atmosphere. Home these days to 13 attorneys, Parker Shaffie handles a great deal of legal malpractice work but also takes on accounting, real estate and fiduciary liability matters as well as business, entertainment, and insurance dispute litigation.

Parker noted the firm still handles many legal malpractice cases from the defense side, but “at least



David Parker, left, and Shawn Shaffie | Justin L. Stewart / Special to the Daily Journal

two thirds of our legal malpractice cases are for clients against lawyers.”

“That’s our hallmark. We work both sides of the street,” Parker added. “And that was critical to my decision to leave and start this firm.”

A 1976 UCLA School of Law graduate, Parker was part of the team of attorneys who started what is today Lewis Brisbois Bisgaard & Smith LLP. But by the mid-1990s, he said he’d become unhappy at a firm that at that time was operating five California offices and had more than 200 lawyers.

“I wanted to try to get back to a

smaller, more intimate practice environment and that also included having a family atmosphere,” Parker recalled. “Our firm now – we have staff people who’ve been with us literally for decades, and now we’re on the second generation. We’ve got my secretary’s younger sister, her daughter, their first cousin. We’ve seen the kids grow up and go to college, and now there’s another generation coming.”

Name partner Shawn Shaffie first joined in 2016, coming from a firm where he handled defense-side legal malpractice work.

“I wanted to branch out,” Shaffie said. “One of the things that really appealed to me about this specific law firm is that even though we do plaintiff-side work ... we really go out of our way to scrutinize cases that are coming in. Unless there’s a straight line, we’re not in the business of giving our brothers and sisters in the legal profession a hard time.”

Shaffie noted, however, that one of the boutique’s most notable recent successes was an insurance professional liability case involving the insurance broker HUB Interna-

tional Limited. *Clean & Sober Media LLC v. Hub International Insurance Services, Inc.*, 21STCV20391 (L.A. Super. Ct., filed Apr. 3, 2023).

“Our client had insurance and was hit with a lawsuit,” Shaffie explained. “He had coverage under a certain policy for that lawsuit. ... HUB, the broker, failed to tender to the specific insurance policy and company that would have had the coverage, and then covered it up. So we not only prevailed with respect to the professional liability aspect, but we actually secured a finding of fraud against HUB.”

In a proposed statement of decision filed Oct. 31, 2023, Los Angeles County Superior Court Judge Maren E. Nelson said, “HUB was professionally negligent” and “engaged in

fraud by concealment and negligent misrepresentation,” causing the plaintiff to incur fees and costs of \$4.3 million.

“A mistake is one thing. You acknowledge it and try to do what you can to rectify it, but to cover it up and make it worse?” said Parker, who tried the case last year. “Once the judgment is entered, I believe they’re going to appeal.”

Los Angeles litigator David S. Eisen is not involved with the HUB matter, but he has opposed Parker on legal malpractice cases in the past.

“He’s a super knowledgeable, extremely formidable, yet straight-shooting and ethical lawyer,” Eisen said of Parker.

“He’s the kind of lawyer you hope

the other side doesn’t hire,” Eisen added with a chuckle. “I think most people – when they see Dave is on the other side – have to have at least a small, ‘Uh oh’ reaction because they know they’re in for a fight.”

Parker and Shaffie noted, meanwhile, that they both take a lot of satisfaction from legal malpractice cases, in part, thanks to the variety of the work.

“The inside joke on that between David and I is we coin ourselves ‘general specialists,’” Shaffie said. “We dip our foot in a lot of different disciplines and practice areas ... and it’s really enjoyable. You don’t get bored. You get to learn about different areas of the law, and you have clients oftentimes who are attorneys, who are great resources

and people that you can learn from and have a good synergy with when doing a case.”

Parker Shaffie also does advising work for other law firms on ethics and malpractice questions, and its attorneys often serve as experts for legal malpractice and ethics cases.

“Dave’s the go-to legal mal expert in LA; everybody thinks of him first,” Eisen said of Parker. “And what really impresses me is that even though he’s a difficult adversary – because of his knowledge and experience – it’s always aboveboard. You can trust his word, and that’s something you can’t say for every lawyer in LA.”

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