

CURRICULUM VITAE OF DAVID N. NISSENBERG

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David N. Nissenberg is a San Diego attorney and the author of The Law of Commercial Trucking: Damages to Persons and Property, 3rd Edition, (LexisNexis®), a two-volume text on commercial trucking law supplemented annually.

In 2000, the treatise was chosen as a finalist by the American Risk and Insurance Association in competition for the “Best Book Published That Advances the Frontiers of Knowledge Concerning the Fields of Risk Management and Insurance.” First published in 1994 it is widely used in this country by plaintiffs and defense counsel, referred to often as the “Bible” for understanding commercial trucking law and litigation and is often cited and quoted from by appellate courts. Two of the most recent decisions doing so are Crocker v. Morales-Santana, 854 N.W.2d 663 (ND 2014) and Strunk v. M & A Trucking, 2014 N.J. Super. Unpub. Lexis 1460 (2014).

Mr. Nissenberg is also the author of Discovery/Trial Guide (for truck accident litigation) published by Truck Litigation Resource Center.

David N. Nissenberg is a member of The Board of Regents of The Academy of Truck Accident Attorneys (academyoftruckaccidentattorneys.org) and Association of Plaintiff Interstate Trucking Lawyers of America (APITLA).

Mr. Nissenberg is Board Certified in Truck Accident Law by the National Board of Trial Advocacy.

From 1994 to the present, David N. Nissenberg has assisted numerous plaintiff attorneys throughout the country engaged in catastrophic truck accident litigation as a consultant on interstate trucking law. His attorney clients have succeeded in achieving multi-million dollar verdicts or settlements. One case of note in which he was the consultant is Schramm v. Foster, 341 F.Supp.2d 536 (D. Md. 2004) the groundbreaking decision establishing the parameters of broker liability in truck accident cases.

A monthly contributor to “Expert Commentaries” on Tort Law for lexis.com, LexisNexis®, Mr. Nissenberg’s published articles include Trucking in Adverse Weather Conditions; Hauling Hidden Dangers On Our Roadways; Big Rig Underride Crashes; Legal Consequences of Driving An Overweight Big Rig; Legal Issues Involving Forklift and Loading Dock Safety; Hazmat Highways: Transporting Hazardous Materials on the Roadway and the Legal Issues That Arise When Spilled Materials Cause Fatalities and Injuries.

Two articles written by David N. Nissenberg were published in professional journals in 2018, the first titled, "Accidents Involving Intermodal Equipment- Theories of Liability and Potential Defendants" was published in the Winter/Spring edition of the AAJ TLG JOURNAL OF TRUCKING LITIGATION and the second article titled, "The Assault on the Doctrine of

Statutory Employment in Truck Accident Cases --- Orchestrated By the Defense; Accepted By a Growing Number of Courts --- Fallacious To Its Core" published in THE LAWYER'S LOGBOOK, a journal of the Association of Plaintiff Interstate Trucking Lawyers of America (APITLA) in the Spring edition.

For almost 25 years Mr. Nissenberg was a columnist for various trucking trade magazines and was a contributing editor to Heavy Duty Trucking Magazine, Trucker's News, Truck Sales and Leasing and Truck Stop World.

Mr. Nissenberg has lectured frequently on the subject of truck accident litigation. His four hour CLE course, "Truck Accident Litigation in a Nutshell," was presented over 300 times to thousands of attorneys in 48 different states from 1996 to 2007.

Since 2008 he has spoken to various trial lawyers and transportation law groups on subjects including: "Expanding Theories of Liability in Interstate Trucking Cases"; "Overcoming the Independent Contractor Defense"; "Recovering Actual and Punitive Damages in Fatigue Cases"; "Placard Liability Law"; "Liability of Ocean Carriers for Land-Based Truck Accidents"; "Shipper/Broker/3PL Liability for Personal Injuries and/or Death Arising from Accidents Involving Commercial Motor Vehicles" and an advanced seminar on Commercial Trucking Law and Litigation.

An honor graduate of Brown University and the University of Miami School of Law, David N. Nissenberg has had a long and varied career focused on commercial trucking, bus and maritime law. That includes over 40 years in trial practice focused on truck related litigation in which he represented the largest independent owner-operator association in California and its members in numerous jury and non-jury cases involving truck and trailer accidents, truck, trailer and equipment warranties, defective repairs, defective truck engines, bearings and other truck accessories, interpretation of truck lease agreements, insurance contracts and other truck related issues.

Mr. Nissenberg is a member of the Florida and California Bars. He holds an AV Preeminent Rating from Martindale and Hubbell and is listed as one of the Top Lawyers in San Diego for 2014, 2015, 2016, 2017, 2018 and 2019. He is a member of AAJ and the Trucking Litigation Group. David Nissenberg grew up in Worcester, Massachusetts and after law school practiced with the Federal Maritime Commission in Washington, D.C. and then as an Assistant State Attorney for the 11th Judicial Circuit of Florida in Miami where he was a member of the Homicide and Capital Crimes Division.

David N. Nissenberg has had a long-standing interest in truck safety and has been to Europe on several occasions researching European advances in the areas of side underride protection, front underrun protection and cab strength. He has witnessed crash testing and has participated in European truck safety conferences.

Mr. Nissenberg is married and has three grown children and seven grandchildren. He works from his office in La Jolla, California.