

## David D. O'Brien

### SERVICE AREAS

#### Business

- Health Law
  - Fraud, Abuse + False Claims

#### Litigation + Trial

- Criminal Defense
- Litigation + Trial Practice Overview

#### Governments + Nonprofits

- Health Law
  - Fraud, Abuse + False Claims

### EDUCATION

- University of Michigan Law School, J.D.
- Swarthmore College, B.A.

### BAR ADMISSIONS

- Massachusetts
- Michigan

### COURT ADMISSIONS

#### U.S. District Court

- Eastern District of Michigan
- Western District of Michigan



### Principal

#### Ann Arbor

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David D. O'Brien practices in all areas of criminal defense under state and federal law, and specializes in working with youthful and first-time offenders. He works primarily at the trial court level, but also has substantial experience preparing petitions for post-conviction relief. Earlier in his career, David clerked for federal judge Richard P. Matsch, who presided in the Oklahoma City bombing case against Timothy McVeigh.

*"I achieve the best possible results for my clients by identifying and developing innovative legal defenses, using persuasive writing skills, and serving as a zealous advocate of their interests while at the same time working collaboratively with opposing lawyers."*

David D. O'Brien

### EXPERIENCE

David represented a young client who was charged with several serious felony counts under state law. Before he was retained, the matter was set for a probable cause hearing, and the defendant was bound over for trial based upon the presentation of testimonial evidence which led the court to conclude that there was reasonable ground to believe that he committed the charged offenses. Upon his retention, David filed a motion to remand the matter for a new probable cause hearing based on newly discovered evidence that the testimony of the complaining witness was not credible. The motion was granted, and at the new probable cause hearing, David cross-examined the complaining witness, exposed the contradictions in the testimony, and ultimately convinced the court to dismiss the charges in their entirety.

*"I helped my client by obtaining the outright dismissal of felony charges, which not only carried a maximum penalty of multiple years in prison, but which could have resulted in a conviction that*

*the defendant carried with him for the rest of his life."*

**PROFESSIONAL ACTIVITIES**

- State Bar of Michigan
- State Bar of Massachusetts

**HONORS + AWARDS**

- University of Michigan Law School, Editor, Michigan Law Review
- Michigan Super Lawyers, Criminal Defense, Rising Star 2008, 2010, 2011