

David J. Mongillo

Attorney who is a former special education teacher and newspaper reporter, and has special insight on municipal and school law issues facing public sector clients.

David advises municipalities and school districts on a diverse range of issues. David regularly:

- Attends public meeting in capacity as solicitor and legal counsel
- Drafts effective and legally compliant ordinances to help shape communities in the Pittsburgh area;
- Represents school districts in special education matters including due process litigation. As a former special education teacher, David has valuable insight in this area;
- Negotiates contracts and commercial agreements;
- Handles real estate transactions including purchases, sales, leases, and condemnation proceedings;
- Works with public officials to ensure compliance with public sector laws and regulations;
- Assists clients responding to subpoenas for testimony and documentary evidence;
- Prepares responses to requests for public records under the Pennsylvania Right-to-Know Law;
- Oversees the work of appointed insurance counsel defending public sector clients against casualty claims.

David has significant experience in litigation, at both the trial and appellate levels. David has handled litigation involving complex commercial transactions, large scale construction disputes, zoning, real estate, energy and employment and labor issues.

David has represented a variety of clients facing environmental challenges in the acquisition or sale of real estate. He has consulted on properties containing leaking underground storage tanks, coal mine refuse, commercial and industrial waste, sewer overflows, and other environmental issues.

Prior to joining Tucker, he served as law clerk to the Hon. Daniel J. Milliron, Court of Common Pleas of Blair County, Pennsylvania.

Representative Experience

After an insurance company declined to defend or cover flooding claims made by a resident against a municipality, David drafted a letter to the insurance company that convinced the company to reverse its position and provide complete coverage and defense of the resident's claims. This saved the municipality hundreds of thousands of dollars in potential damages and attorneys fees.

- Successful defense of a zoning appeal before the Pennsylvania Commonwealth Court, upholding variances and conditional use approval granted by a municipality for development of a multi-million dollar fitness center.
- Successfully argued a labor arbitration appeal before the Pennsylvania Commonwealth Court, obtaining the replacement of an arbitrator who refused to clarify her arbitration award.
- Involved in litigation of several multi-million dollar complex commercial cases for private sector clients, in the areas of construction, banking and energy.

Presentations & Publications

- "504 Plan Legal Essentials," National Business Institute Seminar April, 2018



ASSOCIATE

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- “Pennsylvania Special Education Law,” National Business Institute Seminar, October 2016.

Practice Areas

- Commercial Litigation
- Compliance & Risk Management
- Environmental
- Municipal & School

Professional + Community Affiliations

- ALS Association of Western Pennsylvania, Board of Directors
- Humane Action Pittsburgh, Member, Provides pro bono representation to this animal welfare advocacy group and has drafted animal protection ordinances, including a City of Pittsburgh ordinance banning the use of bullhooks to train or control exotic animals.
- Tyrone Area High School, Former Mock Trial Advisor

Education

- University of Pittsburgh School of Law (JD, *cum laude*)
- George Washington University (MS)
- University of Virginia (BA)

Bar Admissions

- Pennsylvania