



## David M. Zachry, Partner

Practice Areas	Family Law Private Client Appellate Law Services
Admissions	California
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### Professional Summary

David Zachry is a certified specialist in family law. His practice specializes in all divorce proceeding issues including child and spousal support, custody and visitation, reimbursements, restraining orders, complex property characterization issues, income attribution, tracing issues and appeals. David has extensive trial experience in handling domestic breach of duty claims, high net worth dissolutions involving complex property and support issues, and high conflict custody and visitation cases.

### Representative Matters

- Following a two-week trial, obtained \$3,250,000 in damages and an award of \$250,000 in attorney's fees for client based upon her husband's breach of fiduciary duty to their community estate.
- Following a three day trial, obtained an order awarding client \$115,000 per month in child and spousal support and an award of \$300,000 in attorney's fees.
- Following a two day trial, obtained an order for client which confirmed that a vaguely drafted prenuptial agreement did not apply to the valuable business at issue. The other party settled the case for approximately \$19,000,000 following the Court's decision.
- Following a ten day trial, successfully defended client against his ex-spouse's request to set-aside their Marital Settlement Agreement and Judgment based upon allegations of fraud, failure to disclose, breach of fiduciary duty and duress.

- Successfully settled a matter for client which involved a dispute about the interpretation and application of a vaguely drafted prenuptial agreement to approximately ninety privately owned real estate entities. Client was a classic “out spouse” but, through negotiation, was allowed to own an economic interest in each entity and now receives over \$1 million in distributions each year.
- Defended client against a "Feldman" motion where the opposing party requested \$400,000 in sanctions for alleged non-disclosures of material facts and information concerning his income and assets. The motion was defeated and the opposing party was sanctioned \$7,500 for filing this motion.
- Obtained multiple orders after trial for multiple clients during spousal support modification disputes which reduced their ex-spouse’s spousal support to zero notwithstanding the long-term duration of the client’s marriage.
- Represented multiple clients in the negotiation and preparation of prenuptial and postnuptial agreements.
- Represented multiple clients during appeals.
- Obtained a ruling that fully exonerated a client accused of abusing his children after three hearings, which involved obtaining testimony from client, client's co-workers, client's spouse and two employees from the County of San Diego's Child Welfare department. After cross-examination, the Court expressed its view that client's spouse was not a credible witness, nor was the County employee who filed negative reports about client with the Court.
- Defended client against his ex-spouse's request for \$315,000 in attorney’s fees. Client was not ordered to contribute any money to his ex-spouse's attorney's fees and costs.
- Prosecuted an appeal of an adverse trial court order concerning child support and spousal support. Notably, the Court of Appeal concluded that the trial court committed reversible error when it declined to reduce client's ex-spouse's spousal support in response to her unrelenting and unjustifiable alienation of the parties' children from the client.

## Recognitions

- *The Best Lawyers in America*® - 2020 (Family Law)
- *San Diego Super Lawyers*® Rising Star – 2016 - 2019 (Family Law)
- *The Daily Transcript's* “Young Attorney” – 2010 & 2011



## Community

- Notre Dame Club of San Diego San Diego
- San Diego County Bar Association
- San Diego County Family Law Bar Association

## Education

- JD, University of San Diego School of Law (*San Diego Law Review*, Business Law Society)
- MBA, University of San Diego School of Business Administration
- BA (Government and International Studies), University of Notre Dame