



## Philip A. Burian

*Member*

### *Contact*

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### PRACTICE AREAS

Transportation Law

Product Liability

Personal Injury

Business and Commercial  
Litigation

Construction and Design  
Practice

Professional Liability Defense,  
Licensure and Credentialing

Insurance Defense and  
Coverage

Probate, Estate and Trust  
Litigation

Phil Burian practices primarily in civil litigation and trial in state and federal courts as well as alternative dispute resolution. He brings a range of experience in multiple areas of law to industries, including transportation and construction. While his focus is on defending against claims and reducing risk for clients, he also prosecutes plaintiff cases. Mr. Burian is experienced in litigation involving production and use of Electronically Stored Information (ESI) under federal and state rules. He enjoys his practice most during trial, but he makes creative opportunities to narrow or resolve disputes when in the best economic interests of his clients.

Mr. Burian is a native of Eastern Iowa. He enjoys spending free time by participating in a variety of civic projects, family activities and curling. He brings a diverse array of personal, military and hands-on work experiences to his practice of law.

**Transportation.** Mr. Burian has acquired a broad knowledge of the transportation industry during his 20+ years with Simmons Perrine Moyer Bergman PLC. His primary transportation related experience has been in tort claims and accident reconstruction. Mr. Burian also advises and advocates for clients with cargo claims, agent disputes, debt collection, contract drafting and more.

**Product Liability and Personal Injury.** Mr. Burian represents clients in a broad range of cases involving personal injury and wrongful death. Although he successfully handles cases involving unusual facts, representative cases involve claims of negligent operation of motor vehicles or equipment, and claims of defective design or design in commercial and consumer products.

**Insurance.** Mr. Burian represents several insurance companies. In addition to defending policy holders in all areas of covered claims, Mr. Burian advises insurance carriers on application and interpretation of policies, coverage disputes, business considerations and strategic analysis of claims before lawsuits are filed.

**Commercial Litigation and Business Torts.** Mr. Burian represents companies and individuals in cases involving breach of contract, trade secrets, trademarks, breaches of fiduciary duty, interference with contract and non-competition covenants. The particular subject matters of cases are as diverse as the businesses in the economy, but examples of matters include livestock contracts, cargo claims, use of restaurant names, misappropriation of customer information, land use disputes and financing torts.

**Construction and Design Litigation.** Mr. Burian represents engineers, architects, contractors, subcontractors, suppliers and owners in construction and design disputes on public and private construction projects. His experience ranges from allocation of responsibilities in the initial contracting phase to resolution and litigation of matters that arise well after final acceptance of the project.

## Bar Admissions

- State of Iowa
- State of Illinois

## Court Admissions

- US District Court
  - Northern District of Iowa
  - Southern District of Iowa
  - Central District of Illinois

## Education

- University of Iowa College of Law, JD, with high distinction, 1996
  - Order of the Coif
  - Van Oosterhout Moot Court and National Moot Court Team
- Trial Academy, 2001
  - International Association of Defense Counsel
- Coe College, BA, cum laude, 1993
  - Phi Beta Kappa

- Phi Kappa Phi
- Ruth A. Outland Scholar
- Kirkwood Community College, 1989

## Honors & Awards

- Included in the Best Lawyers in America®, 2022
  - Insurance Law
- AV Rating by Martindale-Hubbell®
  - "Phil is a tremendous legal talent. He has a keen intellect, communicates very well, and is reasonable and very professional."  
-- Martindale-Hubbell®

## Professional & Community Affiliations

### Civic & Community Involvement

- Iowa National Guard
  - Veteran of the first Persian Gulf War with the U.S. Army, advance treatment and life support to ground forces in Iraq; Kuwait and Saudi Arabia
  - Humanitarian mission in Central America
- Cedar Rapids Curling Club, President

### Professional Memberships

- Iowa State Bar Association
  - Administrative Law Section
  - Construction Law Section
  - Litigation Section
- Linn County Bar Association

## News & Events

### 2021

- Best Lawyers® 2022, 08/19/2021

### 2020

- Honoring Our Veterans, 11/11/2020
- Best Lawyers In America Recognizes 37 SPMB Attorneys, 08/20/2020