



## David W. Gearhart

Member

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David Gearhart is a nationally recognized immigration and employment attorney who combines deep legal knowledge with practical experience to guide clients through complex regulatory challenges and high-stakes disputes.

David serves as lead attorney of the Immigration Practice Group at Lewis Rice. He advises businesses and individuals on a wide range of immigration matters, including temporary and permanent work visas, family-based permanent residence, citizenship, J-1 visa waivers, student and visitor visas, maintenance of status issues, and U.S. entry concerns. Over his more than 20-year tenure, firm clients have achieved a success rate exceeding 99% on immigration filings with USCIS and DOS, as well as in clearing U.S. Customs and Border Protection (CBP), including national interest waivers during the COVID-19 pandemic.

Due to this exceptional track record, Dave is frequently asked to take over difficult cases—whether responding to a request for evidence, notice of intent to deny, or even after a denial. He also regularly trains and advises employers on work authorization compliance, I-9 audits, and investigations, and provides guidance on immigration and employment aspects of mergers, acquisitions, and corporate restructurings.

Dave's employment law practice includes litigation of disputes involving wrongful termination, discrimination and retaliation, and employee benefits/ERISA. He has successfully defended complex individual and class action cases in federal and state courts and before administrative agencies nationwide. His litigation experience enhances his ability to prepare strong, well-documented immigration filings.

In addition to litigation, Dave counsels employers daily on HR matters such as hiring and termination, harassment and discrimination, wage and hour compliance, disability accommodations, employee leave rights, and non-compete disputes. His combined knowledge of employment and immigration law allows him to advise clients holistically, saving them the cost and complexity of engaging separate counsel.

Dave frequently speaks and writes on immigration and employment topics and is the author of a book on the spousal immigration process. He was selected for inclusion in *Missouri & Kansas Super Lawyers*® (2016–2020) and *Missouri & Kansas Rising Stars*® (2011–2014). He was also named one of the *Top 100 Lawyers for Immigration* by

### Services

- Immigration
- Labor & Employment

The National Advocates and recognized on *Missouri Lawyers Media's Power List for Immigration Law* and *Top 100 POWER List* in 2024.

## Education

- Washington University in St. Louis School of Law (J.D., 2000)
  - *Washington University Law Quarterly*
  - Order of the Coif
- Emory University (B.A., 1996)
  - International Studies and German
  - Sigma Chi

## Legal Background

- Summer associate, Lewis Rice LLC (1998, 1999)

## Professional Affiliations

- American Bar Association
- Bar Association of Metropolitan St. Louis
- American Immigration Lawyers Association

## Admissions

- Third Circuit, U.S. Court of Appeals
- Sixth Circuit, U.S. Court of Appeals
- Seventh Circuit, U.S. Court of Appeals
- Eighth Circuit, U.S. Court of Appeals
- Eleventh Circuit, U.S. Court of Appeals
- Eastern District of Missouri, U.S. District Court
- Western District of Missouri, U.S. District Court
- Southern District of Illinois, U.S. District Court
- Central District of Illinois, U.S. District Court
- Southern District Court of Indiana, U.S. District Court
- District of Kansas, U.S. District Court
- Missouri Bar
- Illinois Bar

## Charitable & Civic Involvement

- Board of Directors, Shaw Avenue Children's Center (2004-2014)
- Regularly handles immigration cases *pro bono* on behalf of Legal Services of Eastern Missouri