



Donald E. Hemke

OF COUNSEL

TAMPA

813.229.4101

813.229.4133

CONNECT

dhemke@carltonfields.com

Overview

Don Hemke's practice focuses on general commercial litigation. He also has extensive experience in obtaining government permits and licenses.

Don has tried approximately 25 cases to jury verdict, including approximately six Section 1983 cases. He has also argued approximately 50 appeals, including approximately 10 involving constitutional claims.

Don has served as an arbitrator for the U.S. District Court for the Middle District of Florida and for the American Arbitration Association.

Experience

- Represented landowners and governments in land use/zoning litigation, including claims for inverse condemnation and for civil rights violations under Section 1983.
- Represented owners, suppliers, contractors, and subcontractors in construction cases often involving delay, inefficiency, hindrance, and differing site condition claims.
- Involved in obtaining permits from the Army Corps of Engineers.
- Involved matters as diverse as submarine computers to Bible tapes to ostriches. He has extensive experience in the areas of zoning/land use/environmental, governmental, and construction litigation.

- Obtained a multimillion-dollar jury verdict on behalf of a developer against the Town of Longboat Key.
- Obtained a multimillion-dollar refund in a class action against the city of Punta Gorda.
- Obtained million-dollar-plus jury verdict for a contractor against a landowner.
- Obtained a million-dollar-plus jury verdict for breach of warranty and for Magnuson-Moss for a consumer against a boat manufacturer.
- Obtained injunctions against a state agency's disadvantaged business program.

Areas of Focus

Practices

- Construction
- Environmental Regulation & Litigation
- Government Law & Consulting
- Real Property Litigation
- Construction Litigation
- Development
- Environmental, Land Use & Development Approvals and Litigation
- Administrative Litigation and Appeals
- Eminent Domain

Industries

- Construction

Insights

12.04.2012

Understand the Development and Utilization of the Comprehensive Plan and Take a Comprehensive Look at Land Use Law

12.11.2002

How Does Florida Handle Toxic Torts (chapter)

12.11.2002

Election of Remedies (Chapter)

12.11.2002

Sovereign Immunity (Chapter)

Professional & Community Involvement

- American Bar Association
- The Florida Bar
- Hillsborough County Bar Association

Speaking Engagements

- "Government Contracting and Procurement," Hillsborough County Bar Association (October 18, 2018)
- "Understand the Development and Utilization of the Comprehensive Plan and Take a Comprehensive Look at Land Use Law," National Business Institute Land Use Law Seminar, Tampa, FL (December 5, 2012)
- "Understand the Development and Utilization of the Comprehensive Plan and Take a Comprehensive Look at Land Use Law," National Business Institute Land Use Law Seminar, Orlando, FL (December 4, 2012)
- "Public Contracts and Procurement Regulations in Florida," Lorman Education Services, Tampa, FL (July 17, 2012)
- "A Practical Guide to Construction Liens," NBI, Tampa, FL (October 5, 2011)
- "Mastering Land Use and Planning Processes," NBI, Tampa, FL (September 13, 2011)
- "Moratoria and Vested Rights," Florida Municipal Attorneys, Palm Beach, FL (July 21, 2011)
- "Discover the Key Elements That Can Make or Break a Construction Defect Case," Construction Defect Litigation: From A to Z, Tampa, FL (October 12, 2010)
- "Florida Subdivision and Platting Act," Lorman Education Services (July 12, 2010)
- "Florida Construction Lien Law," National Business Institute (September 22, 2009)
- "Process for Obtaining Government Permits," The Development Approval Process, Lorman Education Services, Tampa, FL (September 9, 2008)
- "General Commercial Litigation: Obtaining Government Permits and Licenses," Real Estate Development From Beginning to End, Lorman Education Services, Tampa, FL (April 25, 2008)

Credentials

Education

- University of Virginia School of Law (J.D., 1974)
 - First in Class
 - Order of the Coif
 - *Virginia Law Review*
- Vanderbilt University (B.A., cum laude, 1971)

Bar Admissions

- Florida

Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Middle District of Florida
- U.S. District Court, Northern District of Florida

Clerkships

- Hon. John W. Peck, U.S. Court of Appeals, Sixth Circuit

Background

- Law Clerk to the Honorable John W. Peck, U.S. Court of Appeals for the Sixth Circuit (1974–1976)
- Assistant to the General Counsel for the Secretary of the Army
 - Advised on many issues, including environmental matters and the Army Corps of Engineers' civil works and regulatory permit programs, and testified before legislative committees (1976–1980).