



## David R. Wright

SHAREHOLDER

TAMPA

813.229.4355

813.229.4133

CONNECT

[dwright@carltonfields.com](mailto:dwright@carltonfields.com)

## Overview

David Wright focuses primarily on complex business litigation matters. David's practice includes the prosecution and defense of business litigation claims, including putative class actions, consumer class actions, business torts, breach of contract claims, statutory claims, e.g., FDCPA, TCPA, and FDUTPA, and offers of judgment. His practice also includes securities litigation, from representing clients who have received subpoenas from the Securities and Exchange Commission to defending against consumer claims in FINRA arbitrations.

David's practice involves representation through the entire lifespan of a litigation — including all phases of motions practice, mediation, trial, and appellate review. He also works with clients to develop proactive strategies to reduce risk in current and prospective operations. His pragmatic and precise approach to his matters has resulted in numerous successful outcomes for his clients, who range from small business owners to publicly traded companies.

Prior to joining Carlton Fields, David served a two-year term as a law clerk to the Honorable Virginia Covington of the U.S. District Court for the Middle District of Florida. David also worked as an intern with the Florida Supreme Court in Tallahassee and as an elder law initiative intern with the Department of Justice. Whether in court or arbitration, David applies his insights from clerking with his litigation experience to obtain successful outcomes for clients.

## Experience

- Successfully obtained dismissal of a multi-count complaint alleging unjust enrichment, discrimination, and civil conspiracy.
- Obtained dismissal with prejudice of multicount complaint filed in federal court against publicly traded company, which, after succeeding before the Florida Supreme Court on a certified question, was affirmed by the Eleventh Circuit.
- Obtained final summary judgment against plaintiffs in a 900,000-plus certified class action pending in federal court.
- Trial counsel in a bench trial involving claims of breach of a noncompete and competing claims for breach of fiduciary duty.
- Trial counsel in jury trial involving business divorce, resulting in jury verdict awarding client damages.
- Obtained dismissal with prejudice of putative class action case brought under the Fair Debt Collection Practices Act.
- Obtained dismissal with prejudice of putative class action case alleging unjust enrichment claims against publicly traded company.
- Successfully defended against writ of garnishment and declaratory judgment action by prevailing on contract interpretation at summary judgment.
- Defended large broker-dealer against consumer claims in FINRA arbitration, which resolved at mediation.
- Defended company against trade secret misappropriation claim, which resolved at mediation.
- Successfully prosecuted Deceptive and Unfair Trade Practices Act claim, including an award of attorneys' fees.
- Served as offer of judgment consultant to a plaintiff who did not accept an offer of judgment, and successfully defended against claim for fees under the unaccepted offer.

## Representative Cases

- *Nolen v. Fairshare Vacation Owners Ass'n*, No. 6:20-cv-00330, 2022 WL 896794 (M.D. Fla. Mar. 10, 2022).
- *Pincus v. Am. Traffic Sols., Inc.*, 986 F.3d 1305 (11th Cir. 2021).
- *Lewis Tree Serv., Inc. v. Asplundh Tree Expert, LLC*, 311 So. 3d 206 (Fla. 2d DCA 2020).

## Areas of Focus

### Practices

- [Litigation and Trials](#)
- [Appellate & Trial Support](#)

- [FINRA Enforcement, Arbitration, and Appeals](#)
- [Labor & Employment](#)
- [Securities Litigation and Enforcement](#)

## Insights

08.03.2023

You Keep Using That Word, I Do Not Think It Means What You Think It Means: Accountant-Client “Privileged” Communications May Not Be Privileged as a Conflict of Law Matter

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05.25.2023

Catching More Flies With Honey: Recent DOJ Policy Changes to Coax Cooperation From Corporate Defendants

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03.31.2023

Florida Broadens Use of Proposals for Settlement by Enacting House Bill 837: Proposals for Settlement Can Now Be Served in Civil Insurance Cases Seeking More Than Just Damages

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02.16.2023

A Coming Seismic Shift in Administrative Law? Or Just a Tremor?

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09.08.2022

What’s Up With WhatsApp and Text Messaging? SEC and FINRA Weigh In

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07.28.2022

Applying New Fla. Settlement Proposal Rule To Pending Cases

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## News

02.16.2024

Carlton Fields Shareholder Class Featured in Law360: “Carlton Fields Taps 12 for Shareholder Roles Across 7 Offices”

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08.31.2023

Carlton Fields Represents Fairshare Vacation Owners Association in Class Action Appellate Victory

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07.29.2022

Joseph Lang and David Wright Publish Article on New Florida Settlement Proposal Rule in Law360

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03.11.2022

Certified Class Action Defeated: Federal Judge Rules That Fairshare Vacation Owners Association Did Not Breach Fiduciary Duty to Its Members

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## Recognition

- *The Best Lawyers in America: Ones to Watch*, Appellate Practice, Commercial Litigation (2022–2024)

## Professional & Community Involvement

- The Florida Bar
- Federal Bar Association, Tampa Bay Chapter
  - Civil Seminar Co-Chair
- Tampa Connection, Class of 2019

## Speaking Engagements

- "Florida Tort Reform and Insurance Coverage Litigation: New Limitations on One-Way Fee Shifting and the Rise of Proposals for Settlement," 2023 Florida Insurance Network Symposium (August 11, 2023)
- "Recordkeeping Compliance: Recent SEC and FINRA Enforcement Actions and Best Practices," ACLI Compliance and Legal Sections Annual Meeting 2022 (July 12, 2022)

## Credentials

## Education

- Stetson University College of Law (J.D., cum laude, 2015)
  - Walter Mann Award
  - Order of the Barristers
  - National Order of Scribes
  - Moot Court Board
- University of Florida (B.A., cum laude, 2011)

## Bar Admissions

- Florida

## Court Admissions

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

## Clerkships

- Hon. Virginia Covington, U.S. District Court, Middle District of Florida