



Dane R. Blunt

SHAREHOLDER

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Overview

Dane Blunt is a multidimensional lawyer with more than 15 years of commercial real estate, title insurance, and construction industry experience. Clients benefit from the holistic perspective he has gained by working on real estate projects from the inception of deals through the resolution of disputes.

Dane's clients include owners, investors, lenders, developers, general contractors, and commercial landlords and tenants. He litigates disputes that arise in connection with the full range of commercial projects, including hotels, condominiums, retail shopping centers, and office complexes. He has also represented institutional lenders, including CMBS lenders, in negotiating, documenting, and closing complex commercial loans of all types, including construction, acquisition and development, and permanent and mezzanine loans for all types of properties, including hotels, retail shopping centers, office complexes, and apartment complexes. In addition, he routinely represents lenders, servicers, and mortgage investors in foreclosure actions and other loan, guaranty, and security agreement enforcement proceedings.

A trial lawyer, Dane has significant experience litigating issues in state and federal courts involving title to real property, easements, restrictive covenants, real estate contracts, title insurance coverage, closing protection letters, mortgage foreclosures, lender liability, creditors' rights, bankruptcy, real estate workouts, commercial leases, noncompetition agreements, and a range of business disputes including class actions.

Dane is focused on providing responsive, efficient counsel that recognizes and prioritizes his clients' business concerns.

Experience

- *Jockey Club Condominium Apartments, Inc., et al. v. Apeiron Miami, LLC*, Nos. 3D17-1393, 3D17-1494 (Fla. 3d DCA June 3, 2020). Written opinion affirming developer client's victory at trial over adjacent property owner associations who had sued to stop the client's development and holding that (i) original developer's agreement was not a covenant running with the land or binding on a successor-in-title by virtue of its "successors and assigns" language and (ii) trial court did not abuse its discretion in granting rehearing in order to rule that developer was entitled to develop and maintain its property,

without consent of adjacent owners, and to remove significant portions of that property from a stop-gap easement granted by agreement to those adjacent owners.

- *Downing v. Fidelity Nat'l Title Ins. Co.*, No. 3:16-cv-00119, 2017 WL 6371196 (N.D. Ga. Sept. 14, 2017), *aff'd*, No. 17-14299 (11th Cir. Apr. 12, 2018). Read Opinion. Putative class action against six title insurers alleging unlawful conspiracy to defraud purchasers of title insurance in Georgia by scheming to eliminate discounts from published premiums dismissed with prejudice because, *inter alia*, alleged misrepresentations of law are not actionable and, even if actionable, were not proximate cause of alleged injury to plaintiff.
- *Jockey Club Condominium Apartments, Inc., et al. v. Apeiron Miami, LLC*, No. 16-5957 CA 40 (Fla. Cir. Ct. July 5, 2017). Final order granting developer's motion for rehearing, removing tennis courts from easement area, and suspending remaining common area easement during developer's maintenance, operation, and development of its property. Read Order.
- *Jockey Club Condominium Apartments, Inc., et al. v. Apeiron Miami, LLC*, No. 16-5957 CA 40 (Fla. Cir. Ct. May 26, 2017). Final order entered after a five-day bench trial ruling that recorded instruments relied on by plaintiffs to block our developer client from developing and even assuming maintenance of its own property are either barred by MRTA or do not preclude future development and do not preclude the developer from assuming maintenance. Read Order.
- *Jockey Club Condominium Apartments, Inc., et al. v. Apeiron Miami, LLC*, No. 16-5957 CA 40 (Fla. Cir. Ct. Feb. 4, 2017). Order granting summary judgment based on MRTA and extinguishing a restrictive covenant entered into prior to root of title and belatedly recorded after root of title. Read Opinion. Order granting summary judgment on restrictive covenant recorded without specific legal description of property. Read Opinion. Order granting summary judgment on claim to easements by prescription. Read Opinion.
- *Caledonian Bank & Tr. Ltd. v. Fifth Third Bank*, No. 8:13-cv-01470, 2015 WL 5542544 (M.D. Fla. Sept. 18, 2015). Order granting defendant's motion for summary judgment in \$30 million action for aiding and abetting fraud and action for civil conspiracy to commit fraud. Read the Order.
- *PNC Bank, N.A. v. Tarpon Lakeside Dev., Inc.*, No. 10-3661 CI, Div. 19 (Fla. Cir. Ct. July 7, 2014). Final summary deficiency judgment and final summary judgment on guaranties entered against borrower and guarantors.
- *Diaz v. Stewart Title Guar. Co.*, No. 12-04902 (Fla. Cir. Ct. Jan. 4, 2013). Dismissal with prejudice of negligence claim brought by lender against title insurer on grounds that claim was barred by Florida's economic loss rule.
- *In re Tarpon Lakeside Dev., Inc.*, No. 8:11-bk-17475 (Bankr. M.D. Fla. Dec. 21, 2012). Order denying confirmation of debtor's Chapter 11 bankruptcy plan and dismissing case after contested confirmation hearing.
- *Beato v. Morrison Fin. Servs. of Fla., LLC*, No. 8:12-cv-01233 (M.D. Fla. Aug. 15, 2012). Order granting motion to dismiss complaint for wrongful foreclosure, fraud, declaratory relief, quiet title, and RESPA violations, dismissing RESPA violations with prejudice and declining supplemental jurisdiction. Read Order.
- *Brake v. Wells Fargo Fin. Sys. Fla., Inc.*, No. 8:10-cv-00338, 2011 WL 6412430 (M.D. Fla. Dec. 21, 2011). Dismissal of fraud, negligence, promissory estoppel, and claims asserted under the National Housing Act against lender on various grounds, including the economic loss rule, the banking statute of frauds, and a finding that no private right of action exists for alleged noncompliance with loss-mitigation procedures under the National Housing Act.

- *Corwin v. Lawyers Title Ins. Co.*, 276 F. Supp. 2d 484 (E.D. Mich. 2011). Denial of class certification in putative statewide consumer class action against title insurance underwriter alleging overcharging for title insurance premiums.
- *Hoving v. Lawyers Title Ins. Corp.*, 256 F.R.D. 555 (E.D. Mich. 2009). Denial of class certification in putative multistate class action alleging overcharging for title insurance premiums.
- *Lehman Bros. Holdings, Inc. v. Hirota*, No. 8:06-cv-02030, 2007 WL 1471690 (M.D. Fla. May 21, 2007). Dismissal of fraud, conspiracy, and negligence claims against title insurer and closing agent on economic loss rule grounds.
- *ZC Ins. Co. v. Brooks*, 962 So. 2d 419 (Fla. 4th DCA 2007). Reversal of attorneys' fees and costs awarded to plaintiff in insurance coverage dispute litigation.
- *Norman S. Cohen M.D., P.A. v. Vining*, 917 So. 2d 1013 (Fla. 1st DCA 2006). Reversal of summary final judgment against professional association in business dispute litigation.

All Insights

09.08.2020	Agency Order Issued by CDC: Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19
08.15.2018	Green Light for Miami Developer
10.18.2016	Real Property & Title Insurance Update: Week Ending October 14, 2016
10.03.2016	Real Property & Title Insurance Update: Weeks Ending September 23 & 30, 2016
07.25.2016	Real Property & Title Insurance Update: Week Ending July 22, 2016
03.01.2012	Annual Review of Developments in Business and Corporate Litigation
03.01.2010	ABA Section of Litigation
01.01.2010	Annual Review of Developments in Business and Corporate Litigation, 2010 ed.
01.01.2009	Annual Review of Developments in Business and Corporate Litigation

All News

08.31.2020	Tampa Bay Area Attorneys Warn That Landlords Could Begin Evictions in the Coming Weeks
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- 06.11.2020 Apeiron at the Jockey Club Developer Wins Key Ruling from Appeals Court
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- 06.05.2020 Third District Court of Appeal Upholds Carlton Fields Client Apeiron's Real Property and Development Rights
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- 07.09.2018 Super Lawyers Honors 81 Carlton Fields Attorneys on 2018 Florida "Super Lawyers" and "Rising Stars"
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- 07.11.2017 Judge Rules in Favor of Firm Client Apeiron Miami, LLC of Development at Jockey Club
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- 06.23.2017 Florida Super Lawyers Ranks 92 Carlton Fields Attorneys as 2017 "Super Lawyers" and "Rising Stars"

Recognition

- Florida Rising Stars, *Super Lawyers Magazine* (2009–2019)

Professional & Community Involvement

- American Bar Association
 - Real Property, Trust, and Estate Law Section
 - Tort Trial and Insurance Practice Section
 - Title Insurance Litigation Committee
 - Business Law Section
- The Florida Bar
 - Real Property, Probate, and Trust Law Section
- Hillsborough County Bar Association
- Habitat for Humanity of Hillsborough County Inc.
 - Board of Directors (2019–present)
- Tampa Connection, Class of 2017–2018

Speaking Engagements

- "Quieting Title to Real Property in Florida," Legal Services of North Florida Inc. (September 26, 2019)

Credentials

EDUCATION

- Florida State University College of

COURT ADMISSIONS

- U.S. District Court, Middle District

Law (J.D., high honors, 2004)

- University of Florida (B.A., with honors, 2001)

BAR ADMISSIONS

- Florida

of Florida

- U.S. District Court, Southern District of Florida
- U.S. Bankruptcy Court, Middle District of Florida
- Florida State Courts

Areas of Focus

PRACTICES

- Class Actions
- Development
- Cybersecurity and Privacy
- Eminent Domain
- Litigation and Trials
- Real Property Litigation
- Title Insurance

INDUSTRIES

- Banking, Commercial, and Consumer Finance
- Construction