



Dane R. Blunt

SHAREHOLDER

TAMPA

P : 813.229.4156

F : 813.229.4133

CONNECT

dblunt@carltonfields.com

[LinkedIn](#)

Overview

Dane Blunt is a multifaceted lawyer with more than a decade of commercial real estate 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. His deep understanding of the issues and complexities surrounding real estate and construction projects enables him, on the front end, to proactively protect client interests while minimizing the costs and risks associated with disputes that may arise.

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 also represents 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. During a recent trial in Miami Circuit Court's Complex Business Litigation Division, Dane obtained a ruling on behalf of his developer client that enabled it to proceed with the development of a multimillion-dollar, ultra-modern condominium and hotel project, in a case that involved issues of Florida's Marketable Record Title Act, restrictive covenants, and claims to easements.

Dane is focused on providing responsive, efficient counsel that recognizes and prioritizes his clients' business concerns. He is particularly adept at helping clients navigate evolving e-discovery challenges and preservation obligations.

Dane is the co-manager of the Tampa National Trial Practice.

Experience

- *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 Condo. Apartments, Inc., 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 Condo. Apartments, Inc., 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 Condo. Apartments, Inc. 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

08.15.2018 Green Light for Miami Developer

07.09.2018 Super Lawyers Honors 81 Carlton Fields Attorneys on 2018 Florida "Super Lawyers" and "Rising Stars"

07.11.2017 Judge Rules in Favor of Firm Client Apeiron Miami, LLC of Development at Jockey Club

06.23.2017 Florida Super Lawyers Ranks 92 Carlton Fields Attorneys as 2017 "Super Lawyers" and "Rising Stars"

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

Recognition

- Listed in *Florida Super Lawyers* as a "Rising Star" (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
- Tampa Connection, Class of 2017-2018

Credentials

EDUCATION

- Florida State University College of Law (J.D., high honors, 2004)
- University of Florida (B.A., with honors, 2001)

COURT ADMISSIONS

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

BAR ADMISSIONS

- Florida

Areas of Focus

PRACTICES

- Class Actions
- Development
- Cybersecurity and Privacy
- Eminent Domain
- Litigation and Trials

INDUSTRIES

- Banking, Commercial, and Consumer Finance
- Construction

- Real Property Litigation
- Title Insurance