



## Steven J. Brodie

SHAREHOLDER

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### Overview

Steve Brodie has extensive experience in insurance-related litigation, including coverage, defense, and regulatory matters. He also frequently handles litigation regarding securities and complex commercial matters. His clients include *Fortune* 100 companies, major insurers, financial services companies, telecommunications firms, officers and directors, institutional lenders, and developers.

As lead counsel, he has defended matters in numerous jurisdictions and states, including New York, Florida, Kentucky, Tennessee, Michigan, Virginia, and California.

Steve counsels a wide variety of insurance companies, including a leading international organization with operations in more than 130 countries and jurisdictions as well as leading insurance brokers. His services include litigating insurance coverage matters, property damage claims, bad faith claims, class action defense, representation of insurance carriers before the insurance regulator, regulatory litigation, and business litigation. He has long been involved in a wide range of substantive insurance areas, including forming a reciprocal insurance company, drafting insurance policies, and loss mitigation transfers. He is also experienced in the emerging field of environmental impairment insurance and cybersecurity.

He has lobbied before the state of Florida and local governments on behalf of a wide variety of businesses.

He is the primary attorney responsible for assembling a team of lawyers and professionals to assist the largest U.S. provider of prepaid mobile phone services. For the past several years this team has represented the client in actions across the country against international traffickers of prepaid mobile phones. These traffickers are involved in schemes to alter the phones' proprietary software, repackage the devices, and resell them domestically and abroad to unsuspecting customers.

Steve filed an amicus brief before the Florida Supreme Court on behalf of a major insurance company and is involved in numerous cases and appeals throughout the United States.

Steve also provided pro bono representation to U.S. holocaust survivors in a class action settlement of claims against a Swiss bank.

In addition to his litigation practice, Steve provides professional business guidance and lobbying services. This representation includes helping clients to procure government contracts and take advantage of other business opportunities in the public and private sectors.

Steve is a frequent speaker on insurance industry issues and has authored numerous articles on D&O coverage and bad faith and has authored two chapters in various insurance and business treatises. He is AV rated by Martindale-Hubbell and is a member of the American Bar Association and The Florida Bar. He has been recognized by *The Best Lawyers in America* and listed in Florida Super Lawyers as well as named one of the "Top Lawyers" in South Florida. He serves on the board of directors and executive committee of the Greater Miami Jewish Federation, board of directors and executive committee of United Way of Miami-

Dade, University of Miami Board of Trustees, and is a member of the University of Miami Citizens Board.

Steve is the Miami office co-managing shareholder and serves as co-chair of the firm's Property and Casualty Insurance Practice and the Insurance Industry Group.

## Experience

- *Office Depot Inc. v. AIG Specialty Ins. Co.*, No. 2:15-cv-02416 (C.D. Cal. June 21, 2019).
- *Weitz Co. v. Lexington Ins. Co.*, 982 F. Supp. 2d 975 (S.D. Iowa 2013), *aff'd*, 786 F.3d 641 (8th Cir. 2015). As the lead defense firm in the Southern District of Iowa, obtained a defense summary judgment where the plaintiff general contractor improperly attempted to obtain a \$50 million-plus double recovery in equity against project owner's post-construction property insurers. The general contractor was previously sued for its materially deficient construction of the project in the Southern District of Florida. It settled with the project owner after recovering several million dollars more from its liability insurers, subcontractors, and their liability insurers. As part of the appellate team in the Eighth Circuit Court of Appeals, we defended entry of this summary judgment on appeal and obtained affirmance.
- *Bond Safeguard Ins. Co. v. Nat'l Union Fire Ins. Co. of Pittsburgh*, No. 6:13-cv-00561, 2014 WL 5325728 (M.D. Fla. Oct. 20, 2014). Obtained summary judgment in favor of directors and officers liability carrier in a \$40 million-plus *Coblentz* enforcement action involving the application of an "arising out of" contract liability exclusion to a business dispute and a discussion of the *Daubert* deficiencies of a *Coblentz* expert opinion.
- *Office Depot, Inc. v. Nat'l Union Fire Ins. Co. of Pittsburgh*, 734 F. Supp. 2d 1304 (S.D. Fla. 2010), *aff'd*, 453 F. App'x 871 (11th Cir. 2011). Summary judgment in favor of insurer on insured's claims of more than \$24 million in investigation costs.
- *Bray & Gillespie Mgmt. LLC v. Lexington Ins. Co.*, 259 F.R.D. 568 (M.D. Fla. 2009).
- *Republic Servs. Inc. v. Am. Int'l Specialty Lines Ins. Co.*, No. 1:07-cv-21991, 2008 WL 4691836 (S.D. Fla. Oct. 21, 2008).
- *In re Ins. Brokerage Antitrust Litig.*, No. 2:04-cv-05184, 2008 WL 3887616 (D.N.J. Aug. 20, 2008).
- *TracFone Wireless, Inc. v. GSM Grp., Inc.*, 555 F. Supp. 2d 1331 (S.D. Fla. 2008).
- *Yale Galanter, P.A. v. Johnson*, No. 0:06-cv-60742, 2008 WL 1766907 (S.D. Fla. Apr. 14, 2008).
- *Heritage Corp. of S. Fla. v. Nat'l Union Fire Ins. Co. of Pittsburgh*, 255 F. App'x 478 (11th Cir. 2007).
- *TracFone Wireless, Inc. v. Dixon*, 475 F. Supp. 2d 1236 (M.D. Fla. 2007).
- *Nat'l Union Fire Ins. Co. of Pittsburgh v. Underwriters at Lloyd's, London*, 971 So. 2d 885 (Fla. 3d DCA 2007).
- *Henry Demayo Brokerage Ins. Grp., Inc. v. Law Office of Weintraub, Weintraub, Seiden & Orshan*, 955 So. 2d 32 (Fla. 3d DCA 2007).
- *Aircraft Holdings, LLC v. XL Specialty Ins. Co.*, 935 So. 2d 1219 (Fla. 2006).
- *Orange Cty. v. Expedia, Inc.*, 440 F. Supp. 2d 1341 (M.D. Fla. 2006).
- *City of West Palm Beach v. Visionair, Inc.*, 199 F. App'x 768 (11th Cir. 2006).
- *Office Depot, Inc. v. Marsh & McLennan Cos., Inc.*, 937 So. 2d 1139 (Fla. 4th DCA 2006).
- *Home Shopping Network, Inc. v. Am. Int'l Specialty Lines Ins. Co.*, 857 So. 2d 290 (Fla. 2d DCA 2003).
- *Michael J. Edison & Co. v. Columbia Pictures Television, Inc.*, 837 So. 2d 1122 (Fla. 4th DCA 2003).
- *Sphinx Int'l, Inc. v. Nat'l Union Fire Ins. Co. of Pittsburgh*, 226 F. Supp. 2d 1326 (M.D. Fla. 2002).
- *In re Nitro Leisure Prods., L.L.C.*, No. 2:02-cv-14008, 2002 WL 32344948 (S.D. Fla. Aug. 8, 2002).
- *Feltner v. Columbia Pictures Television, Inc.*, 732 So. 2d 1200 (Fla. 4th DCA 1999).

- *Multi-Corp., Inc. v. NTC, Inc.*, 714 So. 2d 1219 (Fla. 3d DCA 1998).
- *Pierce v. Interactive Telecard Servs., Inc.*, 773 So. 2d 69 (Fla. 3d DCA 1997).
- *ThunderWave, Inc. v. Carnival Corp.*, 954 F. Supp. 1562 (S.D. Fla. 1997).
- *Kendall Rests., Inc. v. LEF/Kendall Mall, Inc.*, 675 So. 2d 134 (Fla. 3d DCA 1996).
- *Lanchile Airlines v. Conn. Gen. Life Ins. Co. of N. Am.*, 731 F. Supp. 477 (S.D. Fla. 1990).
- *In re Carlton Fruit Co., Inc.*, 84 B.R. 810 (Bankr. M.D. Fla. 1988).
- *Am. Int'l Vacations Inc. v. Interval Int'l, Inc.*, 482 So. 2d 367 (Fla. 3d DCA 1984).

## All Insights

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| 08.30.2021 | Wisconsin Federal Court Finds That “Inadequate Consideration” Carve-Out Bars Coverage for Securities Fraud Settlement                         |
| 02.24.2021 | Should Defendants Seek Stays of Class Actions Pending the Supreme Court’s Upcoming Decision on Article III Standing for Absent Class Members? |
| 04.27.2020 | COVID-19 Insurance Coverage Class Actions   |
| 03.24.2020 | Coronavirus Coverage Conundrums   |
| 02.21.2020 | The Perils of Using Baseball Arbitration to Resolve RWI Policy Disputes   |
| 07.11.2019 | Court Finds No Coverage for False Claims Act Suit   |
| 02.25.2019 | Court Finds No Coverage for \$42 Million False Claims Act Suit Due To Late Reporting  |
| 02.15.2018 | The Perils of Using Baseball Arbitration to Resolve RWI Policy Disputes   |
| 10.12.2016 | Post-Hurricane Matthew: Insurance Statutes and Regulations  |
| 06.12.2016 | Court Finds that False Claims Act Suit Alleges Uninsurable “Willful Acts”   |
| 10.01.2015 | Court Finds Statutory PIP Demand is “Related Claim” to Later-Filed Class Action Suits   |
| 09.27.2015 | Florida District Court Affirms Bankruptcy Court Bar Order In Favor Of Former Ds & Os  |
| 06.29.2015 | Eleventh Circuit Affirms Summary Judgment for Insurer Based on ‘Other Capacity’ Exclusion   |
| 04.01.2015 | Successful Partnering Between Inside and Outside Counsel  |
| 10.19.2014 | National Union Prevails on \$40 Million Coblenz Enforcement Action in D&O Case  |
| 05.13.2013 | Q&A With Carlton Fields’ Steven Brodie  |

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| 04.21.2013 | Fourth Circuit Court of Appeals Puts Teeth into the "In Fact" Exclusions of a D&O Policy   |
| 09.04.2012 | Federal court holds that "Single Loss" and retroactive date provisions precluded coverage for fraudulent scheme that began prior to retroactive date, despite insured's intention to seek damages for on |
| 06.11.2012 | Florida Supreme Court Rejects Common Law First Party Bad Faith Cause of Action   |
| 04.08.2012 | A New Decision Construing "In Fact" Exclusions in Favor of Insurers  |
| 02.20.2012 | Current Developments In D&O Insurance Coverage   |
| 10.17.2011 | Eleventh Circuit Holds No Coverage For Investigation Costs   |
| 07.25.2011 | The "In Fact" Exclusion of a D&O Policy Does Not Require Exhaustion of Appellate Remedies  |
| 07.26.2010 | Florida Changes Procedures for Civil Remedy Notices  |
| 08.03.2008 | Analyzing Insurance Claims: How to Protect the Insurer   |
| 06.01.2006 | Recovery of extra-contractual ('consequential') damages in first -party bad faith cases  |

## All News

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| 09.20.2021 | Office Snapshot: Carlton Fields' Miami Location  |
| 08.19.2021 | Eight Carlton Fields Attorneys Named 2022 "Lawyers of the Year"  |
| 05.21.2021 | Carlton Fields Ranks Among Best in Chambers USA 2021 Guide   |
| 01.29.2021 | Carlton Fields Attorneys Recognized as South Florida Business Journal 2021 Power Leaders                       |
| 01.14.2021 | Asst. U.S. Attorney Vanessa Singh Johannes Joins Carlton Fields in Miami                                       |
| 12.02.2020 | Carlton Fields' Steven J. Brodie Honored for Legal, Community Service  |
| 11.18.2020 | Carlton Fields' New Miami Office in 2 MiamiCentral Featured in the Media                                       |
| 11.17.2020 | Carlton Fields Miami Office Relocates to 2 MiamiCentral  |
| 11.11.2020 | Carlton Fields Shareholder Steven J. Brodie Honored with Judge Learned Hand Award by American Jewish Committee |

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| 10.05.2020 | Carlton Fields Expands Property and Casualty Insurance Practice; Adds Two Attorneys in Orlando   |
| 05.01.2020 | Carlton Fields Recognized as 2020 Top Firm for Insurance for Third Consecutive Year  |
| 03.23.2020 | Insurance Litigator J. Kent Crocker Joins Carlton Fields in Miami  |
| 02.20.2020 | Carlton Fields Hires Top Insurance Lawyer Huhnsik Chung  |
| 02.20.2020 | Carlton Fields Expands in New York with Fintech Attorney Huhnsik Chung   |
| 02.10.2020 | Carlton Fields Adds Immigration Attorney Federico M. Maciá in Miami  |
| 02.04.2020 | Carlton Fields Attorneys Recognized as 2020 Power Leaders  |
| 11.25.2019 | Chael J. Clark Joins Carlton Fields' Property & Casualty Insurance Practice in New York  |
| 09.16.2019 | Carlton Fields Shareholder Steven J. Brodie Named Co-Chair of 2019-2020 United Way Annual Campaign   |
| 09.12.2019 | Carlton Fields' Steven J. Brodie Authors Miami Herald Article on United Way Involvement  |
| 07.25.2019 | Carlton Fields Continues Meteoric Construction Practice Growth   |
| 07.18.2019 | Carlton Fields Becomes Official Legal Partner for the University of Miami Business School's Entrepreneurship Program and Annual Business Plan Competition  |
| 06.13.2019 | Carlton Fields' Steven J. Brodie Featured in Invest: Miami About South Florida Economy   |
| 05.02.2019 | Prominent Bankruptcy Attorney David L. Gay Joins Carlton Fields in Miami   |
| 03.05.2019 | Carlton Fields Completes 50,000-Square-Foot Lease with 2 MiamiCentral  |
| 03.05.2019 | Carlton Fields to Move Miami Office to MiamiCentral  |
| 02.01.2019 | Carlton Fields Attorneys Recognized As "Power Leaders"   |
| 02.01.2019 | Media Shines Spotlight on Carlton Fields' New Office and Lawyers; Firm Opens New Jersey Office and Bolsters Real Estate and Insurance Litigation Practices |
| 01.07.2019 | Carlton Fields Opens New Jersey Office, Adds Five Attorneys  |
| 12.03.2018 | Renowned Litigator Lee Stapleton Joins Carlton Fields in Miami   |

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| 11.15.2018 | Roben S. West Joins Carlton Fields in Atlanta   |
| 10.04.2018 | University of Miami School of Law Honors Carlton Fields Shareholder Steven J. Brodie                                  |
| 08.09.2018 | Carlton Fields Adds New York Attorney, Continues 2018 Growth of Property & Casualty Insurance Practice                |
| 08.01.2018 | Carlton Fields Shareholder Steven J. Brodie Named Co-Chair of 2018-19 United Way Annual Campaign                      |
| 07.09.2018 | Super Lawyers Honors 81 Carlton Fields Attorneys on 2018 Florida "Super Lawyers" and "Rising Stars"                   |
| 05.30.2018 | Carlton Fields Adds Two Lawyers, Continues Growth of Property & Casualty Insurance Practice                           |
| 04.18.2018 | Steven Brodie Speaks of Eclectic Legal Career, Diverse Civic Involvement  |
| 02.07.2018 | Carlton Fields Adds Property & Casualty Insurance Attorney Gregory A. Gidus in Tampa                                  |
| 10.14.2017 | Carlton Fields Miami Office Co-Managing Shareholder Steven J. Brodie to Co-Chair 2017-18 United Way                   |
| 10.03.2017 | Steven J. Brodie Appointed Co-Chair of the 2017-2018 United Way Annual Campaign                                       |
| 08.31.2017 | Carlton Fields Bolsters Its South Florida Real Estate and Commercial Finance Practice with Addition of Brian A. Hart  |
| 08.21.2017 | General Counsel Rank Carlton Fields Among Top Law Firms For Client Service  |
| 08.15.2017 | 78 Carlton Fields Attorneys Named "Best Lawyers in America"   |
| 08.03.2017 | BTI Ranks Carlton Fields among Firms with Best Insurance Industry Client Relationships                                |
| 06.23.2017 | Florida Super Lawyers Ranks 92 Carlton Fields Attorneys as 2017 "Super Lawyers" and "Rising Stars"                    |
| 06.06.2017 | Carlton Fields Strengthens Insurance Regulatory Practice with Addition of Beth A. Vecchioli                           |
| 03.20.2017 | Carlton Fields Recognized as a Top Firm for Class Actions and Insurance Industry by JD Supra's Readers' Choice Awards |
| 03.13.2017 | Carlton Fields Adds Insurance Pro   |

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| 02.20.2017 | Carlton Fields Promotes Tampa Attorney Heidi Hudson Raschke to Shareholder |
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| 02.20.2017 | Carlton Fields Promotes Miami Attorney Michael N. Wolgin to Shareholder |
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| 01.30.2017 | Neal McAliley Joins Carlton Fields |
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| 01.02.2017 | Carlton Fields Attorneys Named to the 2017 "South Florida Legal Guide" |
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## Recognition

- AV Rated by Martindale-Hubbell
- *Chambers USA* (2021)
- *The Best Lawyers in America*
  - Commercial Litigation, Insurance Law, Litigation – Insurance (2007–2022)
  - Miami "Lawyer of the Year," Litigation – Insurance (2022), Insurance Law (2011)
- South Florida Power Leaders, *South Florida Business Journal* (2019–2021)
- Florida Super Lawyers, *Super Lawyers Magazine* (2007, 2009–2018, 2021)
- Judge Learned Hand Award, American Jewish Committee (2020)
- Court Finds No Coverage for \$42 Million False Claims Act Suit Due to Late Reporting" recognized as a top article in health care by the 2020 *JD Supra* Readers' Choice Awards
- Top Lawyers, *South Florida Legal Guide* (2014–2015, 2019)
- Honoree of the 2018 University of Miami School of Law Alumni Association
- Power Leaders in Law and Accounting, *South Florida Business Journal* (2015)
- Key Partners Award, Government Contracts/Lobbying, *South Florida Business Journal* (2009)
- Florida Legal Elite, Insurance, *Florida Trend Magazine* (2009)
- *Leader Magazine's* Power Issue, South Florida edition (2009)
- Who's Who in Corporate Law, *South Florida Business Journal*
- *Who's Who in American Law*
- *South Florida's Top Lawyers*
- Stanley C. Myers Presidents' Leadership Award, Greater Miami Jewish Federation
- Robert Russell Fellowship Award, Greater Miami Jewish Federation
- JCC Family Leadership Award

## Professional & Community Involvement

- American Bar Association
- The Florida Bar
- Dade County Bar Association
- Professional Liability Underwriting Society

- Claims and Litigation Management Alliance
- Greater Miami Jewish Federation
  - Board of Directors and Executive Committee (2000–2020)
  - Past Chairman, Jewish Community Relations Council
  - Chairman, Cornerstone Campaign
  - Past Chairman, South Dade Branch
- Greater Miami Chamber of Commerce
  - Trustee Member and Board of Governors
  - Doral Golf Tournament Board
- United Way of Miami-Dade
  - Board of Directors (2006–2020)
  - Co-Chair, Annual Campaign (2016–present)
  - Chair, Engagement Committee (2014–2015)
  - Past Chairman, Campaign Cabinet
  - Chairman, Mayor’s Ball (2012)
  - Chairman, South Florida Carlton Fields United Way Golf Tournament
- Baptist Health Foundation
  - Executive Committee (2020)
  - Board of Directors (2017–present)
- University of Miami Citizens Board
  - Member (2014–2015)
  - President (2011–2014)
  - President-Elect (2010)
  - Secretary, Treasurer, and Vice President (2005–2009)
  - Executive Committee (2003–2009)
- University of Miami Board of Trustees (2011–2015)
- Florida Department of Education, Ethics Commission
  - Former Member, Appointed by Florida Cabinet (1998–2000)
- American Israel Public Affairs Committee
  - Dade County Chair (2018–present)
  - South Dade Chair (2015)
- SUNPAC
  - Founding Member
- Community Relations Council of Metro-Dade County
  - Appointed by Dade County Commissioners



# Speaking Engagements

- "Ransomware: The Latest Threats and Efforts to Stem the Tide," Carlton Fields Client Presentation (September 27, 2021)
- "Cybersecurity for Growth-Stage Private Companies in the COVID-19 Era," Carlton Fields Client Webinar (September 23, 2020)
- "Recent Cases and Developments in Bad Faith Law From Across the Country," Carlton Fields (May 28, 2020)
- "Cybersecurity and Privacy Litigation and Enforcement in the COVID-19 Era," Carlton Fields (May 20, 2020)
- "Privacy Litigation and Enforcement, Incident Response, and COVID-19," Carlton Fields (May 19, 2020)
- "COVID-19 Insurance Coverage Class Actions," Carlton Fields (April 27, 2020)
- "Cybersecurity: A Clear and Present Danger," Association for Financial Professionals Annual Conference, Orlando, FL (October 25, 2016)
- "Current Developments in D&O Insurance Coverage," 30th Annual Federal Securities Institute, The Florida Bar and West LegalEdcenter, Miami, FL (February 16–17, 2012)
- "Rights of a Secured Creditor," American Institute of Banking
- "WIN: What Is Important Now, Protecting Creditors' Rights in Bankruptcy"
- "International Asset Protection"
- "Steps to Avoid Bad Faith Claims"
- "Emerging Issues in Directors and Officers Insurance," 29th Florida Risk and Insurance Management Society's Regional Conference, Naples, FL
- "The ABCs of Claims Handling"

## Pro Bono

- *In re Holocaust Victim Assets Litig.*, No. 00-9593, 00-0613, 00-9614 (2d Cir.). U.S. holocaust survivors' class action settlement of claims against a Swiss bank.

## Credentials

### EDUCATION

- University of Miami School of Law (J.D., cum laude, 1981)
- Tulane University (B.S., with honors, 1978)

### BAR ADMISSIONS

- Florida

### COURT ADMISSIONS

- U.S. Court of Appeals, Federal Circuit
- U.S. Court of Appeals, Fifth Circuit
- U.S. Court of Appeals, Ninth Circuit
- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Middle District of Florida
- U.S. District Court, Southern District of Florida
- Florida State Courts

## Areas of Focus

## PRACTICES

- Aviation
- Business Transactions
- Consumer Finance
- Coronavirus
- Creditors' Rights and Bankruptcy
- Cyber Insurance Coverage Disputes
- Distressed Asset and Workout
- Government Affairs and Lobbying
- Government Law & Consulting
- Life, Annuity, and Retirement Litigation
- Life, Annuity, and Retirement Solutions
- Litigation and Trials
- Mass Tort and Product Liability
- Property & Casualty Insurance
- Telecommunications

## INDUSTRIES

- Life, Annuity, and Retirement Solutions