



# Steven J. Brodie

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## Overview

Steve Brodie has extensive experience in insurance-related litigation, including coverage, defense, and regulatory 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 more than 20 states, including California, Florida, Hawaii, Kentucky, Michigan, New York, Tennessee, and Virginia. He also frequently handles litigation regarding securities and complex commercial matters.

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.

Steve counsels a wide variety of insurance companies with respect to multiple lines of business as well as leading insurance brokers. His services include litigating insurance coverage matters, first-party claims, bad faith claims, a wide variety of class action defense including securities, cyber and data breaches, and TCPA matters. Steve also represents insurance carriers before insurance regulators and handles regulatory and business litigation. He has long been involved in a wide range of substantive insurance areas, including forming reciprocal insurance companies, drafting insurance policies, and loss mitigation transfers. He is also experienced in the emerging field of environmental impairment insurance and cybersecurity.

He is the primary attorney responsible for assembling a team of lawyers and professionals to defend the largest U.S. provider of prepaid mobile phone services 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. He has lobbied before the state of Florida and local governments on behalf of a wide variety of businesses.

Steve is a frequent speaker on insurance industry issues and has authored numerous articles on D&O coverage and bad faith, and has authored chapters in various insurance and business treatises. Widely recognized for his legal skills, Steve was awarded the Judge Learned Hand Award by the American Jewish Committee and has been listed in BTI's *Client Service All-Stars*, *The Best Lawyers in America*, *Florida Super*

Lawyers, *South Florida Business Journal's Power Leaders*, and *South Florida Legal Guide's Top Lawyers*. He also holds leadership positions in a variety of professional organizations. He serves as vice president and a member of the board of directors and executive committee of the Greater Miami Jewish Federation, and on the board of directors and executive committees of the Baptist Health Foundation, United Way Miami, University of Miami Board of Trustees, and is a member of the University of Miami Citizens Board.

## 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

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
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

02.09.2022	Carlton Fields Attorneys Named 2022 BTI Client Service All-Stars
01.31.2022	Carlton Fields Attorneys Recognized as South Florida Business Journal 2022 Power Leaders
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

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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
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"

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

## Recognition

- AV Rated by Martindale-Hubbell
- BTI Client Service All-Stars (2022)
- *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
  - Vice President (2021–2024)
  - Co-Chair, Israel 75 Mission (2022–2023)
  - Board of Directors and Executive Committee (2000–present)
  - Past Chairman, Jewish Community Relations Council
  - Chairman, Cornerstone Campaign
  - Past Chairman, South Dade Branch
- Baptist Health Foundation
  - Executive Committee (2020–present)
  - Board of Directors (2017–present)
- United Way of Miami-Dade
  - Board Emeritus (2021–present)
  - Board of Directors (2006–2020)
  - Co-Chair, Annual Campaign (2016–2019)
  - Chair, Engagement Committee (2014–2015)
  - Past Chairman, Campaign Cabinet
  - Chairman, Mayor’s Ball (2012)
  - Chairman, South Florida Carlton Fields United Way Golf Tournament
- University of Miami Citizens Board (2014–present)
  - President (2011–2014)
  - President-Elect (2010)
  - Secretary, Treasurer, and Vice President (2005–2009)
  - Executive Committee (2003–2009)
- Greater Miami Chamber of Commerce
  - Trustee Member and Board of Governors
  - Doral Golf Tournament Board
- 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

COURT ADMISSIONS

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

#### BAR ADMISSIONS

- Florida

- 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