



Steven J. Brodie

SHAREHOLDER

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Overview

Steven 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 *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-leader of the firm's Property & Casualty Insurance Practice and 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).

07.11.2019	Court Finds No Coverage for False Claims Act Suit
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
02.25.2019	Court Finds No Coverage for \$42 Million False Claims Act Suit Due To Late Reporting
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
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

02.15.2018	The Perils of Using Baseball Arbitration to Resolve RWI Policy Disputes
02.07.2018	Carlton Fields Adds Property & Casualty Insurance Attorney Gregory A. Gidus in Tampa
12.13.2017	Carlton Fields Adds Real Estate Group in Miami
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
08.24.2017	Hurricane Harvey: Insurance Statutes and Regulations
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"
06.15.2017	Georgia Federal Court Finds Policy's Broad Firearms Exclusion Bars Coverage
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 Miami Attorney Michael N. Wolgin to Shareholder

02.20.2017 Carlton Fields Promotes Tampa Attorney Heidi Hudson Raschke to Shareholder

01.30.2017 Neal McAliley Joins Carlton Fields

01.24.2017 Federal Court Holds California Insurance Code Bars Duty to Defend Against False Claims Act Violations

01.02.2017 Carlton Fields Attorneys Named to the 2017 "South Florida Legal Guide"

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
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10.17.2011	Eleventh Circuit Holds No Coverage For Investigation Costs
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07.25.2011	The "In Fact" Exclusion of a D&O Policy Does Not Require Exhaustion of Appellate Remedies
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07.26.2010	Florida Changes Procedures for Civil Remedy Notices
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08.03.2008	Analyzing Insurance Claims: How to Protect the Insurer
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06.01.2006	Recovery of extra-contractual ('consequential') damages in first - party bad faith cases
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Recognition

- Recognized as a South Florida Power Leader in *South Florida Business Journal* (2019)
- AV Rated by Martindale-Hubbell
- Named as *Best Lawyers'* 2011 Miami Insurance Lawyer of the Year
- Recipient, Key Partners Award *South Florida Business Journal*, Government Contracts/Lobbying (2009)
- Selected for inclusion in *South Florida Business Journal's* Power Leaders in Law and Accounting (2015)
- Selected for inclusion in *South Florida Business Journal's* Who's Who in Corporate Law
- Listed in *The Best Lawyers in America*, Insurance Law (2007-2019)
- Selected for inclusion in *Who's Who in American Law*
- Selected for inclusion in *Florida Super Lawyers*, Insurance (2007, 2009-2018)
- Listed as a Top Lawyer in *South Florida Legal Guide* (2014-2015, 2019)
- Selected for inclusion in *Florida Trend's* Florida Legal Elite, Insurance (2009)
- Selected for inclusion in *South Florida's Top Lawyers*
- Selected for inclusion in *Business Leader Magazine's* Power Issue, South Florida edition (2009)
- Recipient, Stanley C. Myers President's Leadership Award
- Recipient, Robert Russell Leadership Award
- Recipient, JCC Family Leadership Award

Professional & Community Involvement

- Professional Liability Underwriting Society (PLUS)
- The Florida Bar
- American Bar Association

- Dade County Bar Association
- Greater Miami Jewish Federation
 - Board of Directors and Executive Committee (2000-2016)
 - Past Chairman, Jewish Community Relations Council
 - Chairman, Cornerstone Campaign
 - Past Chairman, South Dade Branch
- United Way of Miami-Dade
 - Board of Directors (2006-2018)
 - Co-Chair of Annual Campaign (2017-2018, 2018-2019)
 - Chair, Engagement Committee (2014-2015)
 - Past Chairman, Campaign Cabinet
 - Chairman, Mayor's Ball (2012)
 - Chairman, South Florida Carlton Fields United Way Golf Tournament
- Community Relations Council of Metro-Dade County
 - Appointed by Dade County Commissioners
- 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)
- Former Member, Florida Department of Education, Ethics Commission
 - Appointed by Florida Cabinet (1998-2000)
- Greater Miami Chamber of Commerce
 - Trustee Member and Board of Governors
 - Doral Golf Tournament Board
- SUNPAC, Founding Member
- The American Israel Public Affairs Committee (AIPAC)
 - South Dade Chair (2015)
- South Miami Hospital Foundation
 - Board of Directors (2010-2015)
- Claims and Litigation Management (CLM) Alliance

Speaking Engagements

- "Cybersecurity: A Clear and Present Danger," AFP Annual Conference, Orlando, FL (October 25, 2016).

- “Current Developments in D&O Insurance Coverage,” 30th Annual Federal Securities Institute, Thomson Reuters and The Florida Bar Business Law Section, Miami (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 Director’s and Officers Insurance,” 29th Florida Risk and Insurance Management Society's Regional Conference for the Insurance Industry, 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
- Creditors’ Rights and Bankruptcy
- Cyber Insurance Coverage Disputes
- Distressed Asset and Workout
- Government Affairs and Lobbying
- Government Law & Consulting

INDUSTRIES

- Technology & Telecommunications

- Life, Annuity, and Retirement Litigation
- Litigation and Trials
- Mass Tort and Product Liability
- Property & Casualty Insurance
- Telecommunications