



# Johanna W. Clark

SHAREHOLDER

ORLANDO

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## Overview

For 20 years, Johanna Clark has defended companies in both state and federal courts in insurance bad faith litigation, insurance coverage disputes, automobile repair litigation, class actions, malicious prosecution litigation, ERISA disability litigation, product liability litigation, and general commercial litigation. As lead counsel, Johanna has tried jury and nonjury cases to verdict and final judgment.

Johanna is the co-managing shareholder of the Orlando office.

## Experience

- *In re Auto Body Shop Antitrust Litig.*, MDL No. 2557(M.D. Fla.). Represented major automobile insurance company defending 30 consolidated antitrust and RICO cases in a multidistrict litigation (MDL) proceeding in the Middle District of Florida; has succeeded in getting cases dismissed on motion.
- *All Family Clinic of Daytona Beach Inc. v. State Farm Mut. Auto. Ins. Co.*, 280 F.R.D. 688 (S.D. Fla. 2012) [Read PDF](#); *DWFII Corp. v. State Farm Mut. Auto. Ins. Co.*, 271 F.R.D. 676 (S.D. Fla. 2010), *aff'd*, 469 F. App'x 762 (11th Cir. 2012) [Read PDF](#); *Coastal Neurology, Inc. v. State Farm Mut. Auto. Ins. Co.*, 271 F.R.D. 538 (S.D. Fla. 2010), *aff'd*, 458 F. App'x 793 (11th Cir. 2012). Represented largest automobile insurance carrier in Florida in defeating class certification in multiple putative class action lawsuits filed by medical providers. [Read PDF](#).
- *Dame v. Prudential Ins. Cos. of Am.*, No. 6:08-cv-01896, 2009 WL 248228 (M.D. Fla. Jan. 30, 2009). Represented insurer in removing action to federal court and defeating plaintiff's motion to remand.
- Defense of national disability insurer against a multitude of claimants seeking benefits under the Employee Retirement Income Security Act of 1974 (ERISA) that settled.
- Defense of international insurance carrier in more than 200 automobile and homeowner insurance lawsuits throughout the state of Florida.
- Defense of international insurance carrier in two separate class actions, each of which settled prior to class certification.
- Defense of malicious prosecution litigation against a national insurance carrier.
- Defense of bad faith litigation against an international insurance carrier.

- Defense of coverage and bad faith actions involving automobile insurance policies against a national insurance carrier.

## All Insights

12.01.2017 Charges by Law Firm-Owned Vendors Challenged in Putative Client Class

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06.07.2013 Hot New Cases in Bad Faith: Case Law Update

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02.01.2011 The Good Faith, Bad Faith, and Ugly Set-up of Insurance Claims Settlement

## All News

06.28.2021 Carlton Fields Named Top Firm and Attorneys Named Legal Leaders in Florida Trend's 2021 "Legal Elite"

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10.05.2020 Carlton Fields Expands Property and Casualty Insurance Practice; Adds Two Attorneys in Orlando

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12.01.2019 Shareholder Johanna Clark Featured in Invest: Spotlight on Orlando's Thriving Economy

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09.26.2019 Matthew E. Lewis Joins Carlton Fields' Property & Casualty Insurance Practice

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04.08.2019 Carlton Fields' Orlando Office Relocates To SunTrust Center

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06.29.2018 Carlton Fields Ranked Top Firm and Attorneys Named Legal Leaders in Florida Trend Magazine's 2018 "Legal Elite"

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06.21.2017 Carlton Fields Ranked Top Firm and Attorneys Named Legal Leaders in Florida Trend Magazine's 2017 "Legal Elite"

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01.01.2017 Carlton Fields Names Six New Office Managing Shareholders

## Recognition

- AV Rated by Martindale-Hubbell
- Florida Legal Elite, *Florida Trend Magazine* (2016–2018, 2021)
- Florida Super Lawyers, *Super Lawyers Magazine* (2019–2021)
- Florida Rising Stars, *Super Lawyers Magazine* (2012–2014)
- "40 Under 40," *Orlando Business Journal* (2011)

## Professional & Community Involvement

- Fellow, Litigation Counsel of America
- American Bar Association
  - Tort Trial and Insurance Practice Section (2000–present)
- The Florida Bar (2000–present)
- Orange County Bar Association (2004–present)
- Defense Research Institute (2000–present)
  - Insurance Law Committee (2011–present)
  - Bad Faith Subcommittee (2011–present)
  - Membership Subcommittee (2011–2013)
- Historical Society of Central Florida Inc.
  - Chairman of the Board of Directors (2010–2012)
  - President (2008–2010)
  - Chair, Development Committee (2008)
  - Board of Directors (2006–2012)
- University of Central Florida Town & Gown Council (2011–present)
  - Board Member (2012)
- Wesley Child Development Center (2006-2010)
  - Co-Chair (2008-2010)
- Adviser, Orange County Teen Court (2006)
- Big Brothers Big Sisters of Miami (2000–2003)
- Association for Public Interest Fellow (1997)

## Speaking Engagements

- "Bad Faith Claims When Verdicts Exceed Policy Limits: Nuances of the Insurance Company's Duty to Settle," Strafford Publications Inc. (February 4, 2021)
- "Bad Faith Claims When Verdicts Exceed Policy Limits: Nuances of the Insurer's Duty to Settle - Reducing Insurance Company Exposure; Options for Policyholders When Insurer Rejects Settlement Demand," Strafford Publications Inc., Orlando, FL (January 2020)
- "Bad Faith Claims When Verdicts Exceed Policy Limits: Nuances of the Insurer's Duty to Settle – Reducing Insurance Company Exposure and Options for Policyholders When Insurer Rejects Settlement Demand," Strafford Publications Inc., Orlando, FL (January 2019)
- "Bad Faith: The Interplay Between Appraisals and Civil Remedy Notices," Florida Insurance Council Summer Symposium, Sarasota, FL (July 24, 2018)
- "CLE Dimension – Class Actions, Real Estate Contracts and Litigation, County Government Relationships," ACC Central Florida, Orlando, FL (February 15, 2018)

- "Bad Faith Claims When Verdicts Exceed Policy Limits: Navigating Nuances of the Insurer's Duty to Settle and Best Practices for Insurance Companies to Reduce Exposure," Strafford Publications Inc., Orlando, FL (January 2018)
- "Bad Faith Claims When Verdicts Exceed Policy Limits: Navigating Nuances of the Insurer's Duty to Settle," Strafford Publications Inc., Orlando, FL (January 2017)
- "Identifying and Defending the Bad Faith Set Up," Fourth Annual Bad Faith Litigation Strategies ExecuSummit, Montville, CT (November 2016)
- "Hot New Bad Faith Cases From Across the Country and Developing Trends in Bad Faith Litigation," NAMIC Claims Conference, Litchfield Park, AZ (February 2015)
- "Hot New Cases in Bad Faith: Case Law Update," DRI Insurance Bad Faith and Extra-Contractual Liability Conference, Boston, MA (June 2013)
- "Navigating the Attorney-Client Relationship," UCF Business Incubation Program (October 2010)
- "Preparing to Testify at Trial," International Claim Association Annual Education Conference, Austin, TX (October 2010)
- "Insurance 101: What You Need to Know to Protect Your Clients' (and Your Own) Rights to Recovery," ABA Young Lawyers Division Midyear Meeting, Miami, FL (February 9, 2007)

## Pro Bono

- *In re Holocaust Victim Assets Litig.*, Nos. 00-9593, 00-0613, 00-9614 (2d Cir.). The firm represented the appellants, a group of U.S. holocaust survivors, in a class action settlement of claims against a Swiss bank. Appellants challenged the settlement on grounds that the allocation of settlement funds was unfairly weighted against them; the firm fashioned arguments that assisted them in obtaining the relief they sought.

## Credentials

### EDUCATION

- University of Florida Fredric G. Levin College of Law (J.D., with honors, 1999)
  - Award-Winning Member of the Justice Campbell Thornal National Moot Court Team
  - Award-Winning Member of the Florida Trial Team
  - Pro Bono Certificate
- University of Montpellier (high honors)
- Florida State University (B.S., cum laude, 1995)

### COURT ADMISSIONS

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

## BAR ADMISSIONS

- Florida

## Areas of Focus

### PRACTICES

- Class Actions
- Cybersecurity and Privacy
- Life, Annuity, and Retirement Litigation
- Property & Casualty Insurance