



Amy E. Furness

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Overview

Amy Furness is a trial lawyer who has dedicated her career to defending diverse clients, including both domestic and foreign corporations, in complex civil litigation, particularly product liability and commercial litigation. She defends product manufacturers in all forms of cases in the pharmaceutical, aviation, chemical, tobacco, and consumer product industries. In addition to her extensive pharmaceutical and medical device litigation defense experience, she has defended manufacturers of cigarettes, yacht engines, automobile and aircraft engines, and propane tanks.

Amy has served as national coordinating counsel on numerous mass tort matters, including a significant litigation for a pharmaceutical company involving nearly 14,000 plaintiffs, with over 10,000 cases pending in federal courts and nearly 4,000 cases pending in state courts. She also has served as regional counsel on a variety of complex civil matters.

Prior to joining Carlton Fields, Amy served as in-house counsel with the environmental claims division of a national insurance company. That experience offered her unique insight into the corporate demands of an in-house legal department, and she remains mindful of the needs and pressures clients face daily.

Before entering law school, Amy was a research engineer. Her scientific education and technical experience informs her law practice today.

Amy is a frequent lecturer on product liability and professional liability matters. She serves as the Miami office co-managing shareholder.

Experience

Pharmaceuticals and Medical Devices

- Defending manufacturer of hernia repair product in litigation alleging personal injuries resulting from product defects.

- Defending manufacturers of FDA-approved prescription opioid medications in suits filed by state and local governments as well as third-party payors across the state of Florida.
- Defending manufacturer of prescription medicine used to treat advanced-stage lung cancer in wrongful death lawsuit.
- National coordinating counsel representing pharmaceutical company in diet drug litigation. Defended client and coordinated counsel in nearly every state.
- Defended manufacturer of surgical implantation of Class III medical device approved by the U.S. Food and Drug Administration pursuant to the rigorous product development protocol process and obtained dismissal based on express preemption.
- Defended pharmaceutical company and sponsor of double-blind, randomized, placebo-controlled study in wrongful death lawsuit.

Medical Malpractice

- Defended cosmetic company involved in medical malpractice action involving Botox injections.
- Defended pharmaceutical company involved in medical malpractice action involving experimental drug study.
- Defended third-party bad faith claim arising out of a medical malpractice action involving 11-month-old brain-damaged child.

Tobacco

- Defended cigarette manufacturer in personal injury and wrongful death actions. Select tobacco trials include:
 - *Ralph and Maria Ballard v. R.J. Reynolds Tobacco Co.*, Miami-Dade County, Florida. Former smoker claiming compensatory damages for bladder cancer caused by addiction to cigarettes containing nicotine.
 - *Julie Reese v. R.J. Reynolds Tobacco Co.*, Miami-Dade County, Florida. Current smoker claiming compensatory and punitive damages for throat cancer and COPD caused by addiction to cigarettes containing nicotine.
 - *Allen v. R.J. Reynolds Tobacco Co.*, U.S. District Court for the Southern District of Florida. Wrongful death action seeking damages for cancer caused by addiction to cigarettes. Defense verdict.

Commercial Disputes Involving Product Manufacturers

- Defended worldwide manufacturer of propulsion system used on cruise lines. Served as lead counsel in commercial litigation involving the joint venture and was responsible for recovery of economic damages due to misrepresentations made about the lifetime and reliability of parts used in the propulsion system.

Aviation

- Represented aircraft engine manufacturer in case involving abnormal and premature failure of engine bearings. Responsible for all aspects of litigation as well as two recall programs, warranty returns, and mandatory replacement program for customers.
- Defended aircraft engine manufacturer in litigation involving the Death on the High Seas Act where engine design defects were alleged cause of fatal crash in Greenland.

- Defended aircraft engine manufacturer in trial involving aircraft crash in Guatemala resulting in the death of five on board. Obtained defense verdict.
- Defended aircraft engine manufacturer in litigation and obtained dismissal of action based on Florida's statute of repose and the General Aviation Revitalization Act.
- *Eberli v. Cirrus Design Corp.*, 615 F. Supp. 2d 1357 (S.D. Fla.) (motion to limit/preclude experts).
- *Eberli v. Cirrus Design Corp.*, 615 F. Supp. 2d 1369 (S.D. Fla.) (commercial aviation exception).

Environmental

- Lead counsel and member of trial team representing chemical company in defense of a class action involving private party cleanup of Superfund site in Miami-Dade County.

All Insights

06.28.2019	For the Defense: Carlton Fields' Amy Furness Featured on Cover of Business Magazine
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"
12.03.2018	Litigator Lee Stapleton Joins Carlton Fields
12.03.2018	Renowned Litigator Lee Stapleton Joins Carlton Fields in Miami
05.31.2018	Carlton Fields Outlines Practice Group Expansion Plans
12.13.2017	Carlton Fields Adds Real Estate Group in Miami
10.23.2017	Jeffrey A. Cohen and Amy E. Furness Speak About Managing Data Breaches at PLAC Fall Conference
08.31.2017	Carlton Fields Bolsters Its South Florida Real Estate and Commercial Finance Practice with Addition of Brian A. Hart
07.12.2017	Your Apps May Be Selling You Out

04.17.2017	Amazon Echo - Did Alexa Record a Murder?
02.16.2017	Food for Thought: A Review of 2016 Litigation
01.02.2017	Carlton Fields Attorneys Named to the 2017 "South Florida Legal Guide"
03.22.2016	Food for Thought: Sixth Circuit Affirms Dismissal of Class Action Complaints Against Anheuser-Busch for Intentionally Overstating Alcohol Content of its Malt Beverages
04.06.2009	California Green Chemistry Program
12.12.2002	Gender Equality in the Legal Profession, Practicing with Professionalism Handbook
12.12.2002	Pro Bono for Paralegals Reference Guide

Recognition

- Recognized as a South Florida Power Leader in *South Florida Business Journal* (2019)
- Selected for inclusion in *The Best Lawyers in America*, Product Liability Litigation - Defendants (2019)

Professional & Community Involvement

- Product Liability Advisory Council (PLAC)
 - Member (2013-present)
 - Secretary/Treasurer, Board of Directors (2017-present)
- Defense Research Institute (2000-present)
- American Bar Association
 - Section of Litigation (1994-present)
- The Florida Bar (1994-present)
- Greater Miami Chamber of Commerce
 - Board Member (2016-present)
 - Co-Chair, Senior Executive Orientation Program (2016-present)

Speaking Engagements

- "Data Breaches and Cybersecurity Planning – Best Practices in Managing the Risk", Product Liability Advisory Council Fall Conference, Irving, TX (October 18, 2017).

- “Products Liability Year in Review,” ABA Environmental, Mass Torts and Products Liability Joint CLE (January 2016).
- “The Ethics and Business of Law,” Dade County Defense Bar Association Annual Ethics Symposium (October 2015).
- “Law Firm Marketing and Management,” Dade County Bar Association Bench and Bar Conference (February 2015).
- “The Extraordinary Case of *Chevron Corp. v. Steve Donziger*,” Product Liability Advisory Council (October 2014).
- “The Business Case for Diversity & Flexibility,” Wilkie D. Ferguson, Jr. Bar Association, the Caribbean Bar Association, The Florida Bar, and the Diversity and Flexibility Alliance (July 2014).
- “Recent Applications of the General Aviation Revitalization Act (GARA),” National Institute on Aviation Litigation (June 2014).
- Co-Chair, ABA and National Institute on Aviation Litigation Seminar, New York (2013).
- Faculty member for the ABA’s Trial Advocacy Program for Legal Services Attorneys at the University of Tennessee College of Law (2012).
- “Opening Statements – No Second Chances: How to Make Your Best First Impression With a Skeptical Jury,” ABA and National Institute on Aviation Litigation, New York (2012).
- Faculty member for the ABA’s Trial Advocacy Program for Legal Services Attorneys at the University of Miami School of Law (2008).
- “Evaluating Cause and Effect of Certain Chemicals,” American Conference Institute’s Chemical Products Liability Litigation Seminar, Chicago (2006).
- “Networking and Client Development 101: It’s Easier Than You Think,” ABA Women’s Interest Network, Miami (2006).
- “The Growing Role of Mediation in the Americas,” ABA Section of International Law Fall Meeting, Miami (2006).

Pro Bono

- Member of Election Protection
 - A national, nonpartisan coalition formed to ensure that all voters have an equal opportunity to participate in the political process.
- Past Chair of the Legal Command Center for Miami-Dade County Election Protection Coalition.

Credentials

EDUCATION

- Widener University School of Law (J.D., 1991)
- Drexel University (B.S., 1988)

BAR ADMISSIONS

- Florida

COURT ADMISSIONS

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

- Pennsylvania

Background

- Former in-house counsel for environmental claims division of Reliance Insurance in Pennsylvania.
- Former research engineer with United Engineers in Pennsylvania.

Areas of Focus

PRACTICES

- Aviation
- Cybersecurity and Privacy
- Litigation and Trials
- Mass Tort and Product Liability
- Pharmaceuticals and Medical Devices
- Property & Casualty Insurance