



Jaret J. Fuente

SHAREHOLDER

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Overview

Jaret Fuente represents businesses and professionals in commercial disputes, class actions, and tort litigation in the construction, development, health care, insurance, product manufacturing, and real estate industries.

Jaret represents product manufacturers in the automotive, aviation, chemical, medical device, pharmaceutical, and sporting goods sectors in connection with consumer fraud, crashworthiness, design and manufacturing defect, and warranty claims. He also has extensive experience handling personal injury and wrongful death matters ranging from premises liability to benzene exposure.

Jaret represents builders, contractors, and developers in breach of contract, construction defect, mold, and building product-related claims. He represented homebuilders involved in the Chinese drywall product liability multidistrict litigation proceeding in Louisiana.

Jaret has experience in all phases of litigation, including early case assessments and resolutions, class certification determination, binding arbitration, and trial.

Jaret is certified as a circuit civil mediator by the Florida Supreme Court. He is also certified as a mediator by the U.S. District Court for the Middle District of Florida.

Jaret is a contributor and editor of the firm's *Classified: The Class Action Blog*, and also serves as a member of the firm's E-Discovery Group.

Experience

- Defended aircraft manufacturer in product liability litigation in state and federal courts arising from fatal crashes in general aviation.
- Represented homebuilders in individual and class actions and in multidistrict litigation proceedings involving Chinese drywall.
- Represented contractors, homebuilders, and residential property lessors in construction defect litigation, including litigation arising from mold.
- Represented prescription drug manufacturers in individual and mass tort actions

involving personal injury and wrongful death claims.

- Represented medical device manufacturers in individual and mass tort actions involving hip and knee implants.
- Represented automotive manufacturer in class actions arising from consumer fraud and warranty claims, and defeated class certification.
- Represented automotive manufacturers in personal injury and wrongful death actions arising from crashworthiness claims.
- Represented chemical product manufacturer in personal injury and wrongful death actions arising from exposure to trace benzene.

Representative Decisions

- *Laschober v. Ford Motor Co.*, 88 So.3d 943 (Fla. 2d DCA 2012) (affirming, per curiam, summary judgment on individual Florida Deceptive and Unfair Trade Practices Act claim where plaintiff lacked expert proof of design defect, after denial of class certification).
- *Cramer v. Ford Motor Co.*, No. 2007-CA-2135-NC, 2010 WL 3337647 (Fla. Cir. Ct. Aug. 25, 2010) (granting partial summary judgment on individual claims for express warranty and injunctive relief under the Magnuson-Moss Warranty Act, after denial of class certification).
- *Cramer v. Ford Motor Co.*, 49 So. 3d 241 (Fla. 2d DCA 2010) (affirming denial of plaintiffs' motion for class certification as to claim for violation of Florida Deceptive and Unfair Trade Practices Act).
- *Lewis v. Ford Motor Co.*, 685 F. Supp. 2d 557 (W.D. Pa. 2010) (holding that CAFA jurisdiction existed at time of removal, that denial of class certification did not divest court of CAFA jurisdiction, and denying plaintiffs' renewed motion to remand in Pennsylvania Unfair Trade Practices and Consumer Protection Law claim).
- *Lewis v. Ford Motor Co.*, 263 F.R.D. 252 (W.D. Pa. 2009) (denying plaintiffs' motion for class certification as to claim for violation of Pennsylvania Unfair Trade Practices and Consumer Protection Law).
- *Lewis v. Ford Motor Co.*, No. 2:09-cv-00164, 2009 WL 2355744 (W.D. Pa. June 30, 2009) (denying plaintiffs' motion to exclude defense expert in consumer class action under the Pennsylvania Unfair Trade Practices and Consumer Protection Law).
- *Brisson v. Ford Motor Co.*, 602 F. Supp. 2d 1227 (M.D. Fla. 2009) (dismissing consumer class action against vehicle manufacturer for breach of express and implied warranties).
- *Marzullo v. Crosman Corp.*, 289 F. Supp. 2d 1337 (M.D. Fla. 2003) (granting summary judgment in favor of air rifle manufacturer on design defect and failure to warn claims).
- *Palermo v. Corr. Med. Servs., Inc.*, 148 F. Supp. 2d 1340 (S.D. Fla. 2001) (granting summary judgment in favor of physician on section 1983 claims).
- *Palermo v. Corr. Med. Servs., Inc.*, 133 F. Supp. 2d 1348 (S.D. Fla. 2001) (granting partial summary judgment in favor of physician on section 1983 claims).

All Insights

11.01.2019 Florida Supreme Court Adopts the *Daubert* Amendments
Lawyer Magazine

03.01.2019	Chapter 558 and Commencement of an Action: Gindel v. Centex <i>Lawyer Magazine</i>
03.01.2019	Florida Supreme Court Reaffirms that Frye is the Standard <i>Lawyer Magazine</i>
06.28.2018	Take-Two: Legislature Amends Florida's Construction Statute of Limitations And Repose Again in 2018 <i>ActionLine Magazine</i>
04.20.2018	2018 Florida Legislature Amends Construction Statute of Limitations and Repose
04.09.2018	Notice of a Claim Pursuant to Florida's Pre-Suit Notice of Construction Defect Statute, Chapter 558, May Trigger an Insurer's Duty to Defend
03.01.2018	Florida Supreme Court Answers Certified Question in Altman v. Crum <i>Lawyer Magazine</i>
12.20.2017	<i>Altman Contractors v. Crum & Forster</i> : Florida Supreme Court Answers the 11th Circuit's Certified Question in the Affirmative
03.14.2017	A Winning Record at Trial Starts with Critical Thinking in Discovery <i>Trials and Tribulations, DRI</i>
11.01.2016	Eleventh Circuit Certifies Question to FSC in <i>Altman v. Crum</i>
06.01.2016	Illinois District Court Holds CAFA and Diversity Both Provide Federal Jurisdiction Over Class Action
05.20.2016	...And We're Back! Still No Resurgence of "Picking Off" After Campbell-Ewald
05.19.2016	Southern District of California Rejects Coupon Class Settlement
05.17.2016	Supreme Court Steers Clear of Consumer Standing Issue in Spokeo
04.14.2016	Southern District of California Diffuses Hairdryer Class
02.15.2016	Food for Thought: 2015 Litigation Annual Review

01.20.2016	Supreme Court Rules Unaccepted Rule 68 Offer of Judgment Cannot Moot Class Action
01.15.2015	Judicial Conference Approves Amended Rule 37(e) on Lost ESI
06.19.2014	Standing Committee Approves Proposed Revised Rule 37(e)
06.03.2014	Supreme Court Accepts Certiorari in CAFA Removal Case
02.01.2014	The Proposal For Settlement – An All-Or-Nothing Proposition?
12.19.2013	Spray Polyurethane Foam Insulation Products Liability Litigation – An Update
08.30.2013	A Double Play for Prescription Drug Manufacturers in the Eleventh Circuit
05.24.2013	Spray Polyurethane Foam Insulation Products Liability Litigation – Cooling Down or Heating Up?
03.07.2013	When the Cup Runneth Over: Cy Pres Distributions in Class Action Settlements
03.01.2013	An Overview of the Drywall Safety Act of 2012
02.19.2013	Advertencia: Florida Silent on Duty to Warn in Spanish
12.28.2012	An Overview of the Global Chinese Drywall Settlement
04.01.2012	What You Need to Know About Certificates of Insurance
10.17.2011	D'Amario Comes Crashing Down
12.06.2010	Timing and Sequence of Jury Instructions in Civil Cases
08.09.2010	Chinese Drywall Update
11.09.2009	An Overview of Florida's New Complex Litigation Rule - Fla. R. Civ. P. 1.201
06.02.2008	Vicarious Liability of Motor Vehicle Rental Companies - The Graves Amendment
08.01.2007	Opening Statements in Jury Trials: Just How Important Are They?

07.02.2007	Joint Proposals for Settlement and Vicarious Liability – Rule 1.442(c) (3)
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01.01.2006	Monograph of State Warnings Law (a 50 state survey) - FLORIDA
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01.01.2006	Motions to Dismiss
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09.01.2005	A 50-State Review of State Warnings Law
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09.01.2005	Litigation 101: Preparing a Bill of Costs
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05.14.2004	The Restatement Sections Specifically Applicable to Pharmaceutical and Medical Device Cases in State Court: A 50 State Survey
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All News

07.09.2018	Super Lawyers Honors 81 Carlton Fields Attorneys on 2018 Florida “Super Lawyers” and “Rising Stars”
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06.26.2018	Carlton Fields Construction Attorneys Author Article in The Florida Bar Real Property, Probate & Trust Law Section’s ActionLine Magazine on Florida’s Construction SOL and SOR Amendments
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06.23.2017	Florida Super Lawyers Ranks 92 Carlton Fields Attorneys as 2017 “Super Lawyers” and “Rising Stars”
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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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03.14.2017	A Winning Record at Trial Starts with Critical Thinking in Discovery
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Recognition

- AV Rated by Martindale-Hubbell
- Certified Circuit Civil Mediator by the Florida Supreme Court
- Certified Mediator by the U.S. District Court for the Middle District of Florida
- *The Best Lawyers in America*, Product Liability Litigation – Defendants (2020)
- Florida Super Lawyers, *Super Lawyers Magazine* (2012–2019)
- Florida Legal Elite, *Florida Trend Magazine* (2007, 2011, 2017)

Professional & Community Involvement

- American Bar Association

- Tort Trial and Insurance Practice Section
 - Aviation and Space Law Committee
 - Business Litigation Committee
 - Products Liability Committee
- Section of Litigation
 - Business Torts and Unfair Competition Committee
 - Class Actions and Derivative Suits Committee
 - Commercial and Business Litigation Committee
 - Construction Litigation Committee
 - Mass Torts Litigation Committee
 - Products Liability Committee
- Defense Research Institute
 - Aviation Law Committee
 - Commercial Litigation Committee
 - Class Actions Specialized Litigation Group
 - Construction Law Committee
 - Construction Defect Specialized Litigation Group
 - Drug and Medical Device Committee
 - Product Liability Committee
 - Building Products Specialized Litigation Group
 - Co-Editor, *Building Blocks Newsletter*
 - Mass Torts and Class Actions Specialized Litigation Group
- The Florida Bar
 - Thirteenth Circuit Grievance Committee "F" (2016–2018)
 - Civil Procedure Rules Committee (2013–2015)
 - Construction Law Committee of the Real Property, Probate, and Trust Law Section
 - Trial Lawyers Section
- American Diabetes Association
 - Leadership Council (2003–2007)
- Federal Bar Association
- Federation of Defense and Corporate Counsel
- Ferguson-White American Inn of Court
 - Master (2019–present)
 - Barrister (2005–2018)
 - Board of Directors (2008–2010)
- Florida Defense Lawyers Association

- Products Liability Committee
- Florida State University College of Law Alumni Association
 - Board of Directors (2007–2010)
- International Association of Defense Counsel
- Hillsborough County Bar Association
 - Board of Directors, Trial and Litigation Section (2006–present)
 - Construction Law Section
- Leadership Tampa, Class of 2014
- Tampa Connection
 - Board of Directors (2007–2010)
 - Class of 2006

Credentials

EDUCATION

- Florida State University College of Law (J.D., 1998)
- Florida State University (B.S., 1994)

BAR ADMISSIONS

- Florida

BOARD CERTIFICATIONS

- Circuit Civil Mediator

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
- U.S. District Court, District of Colorado
- Florida State Courts

Areas of Focus

PRACTICES

- Aviation
- Class Actions
- Construction Litigation
- Development
- Litigation and Trials
- Mass Tort and Product Liability
- Pharmaceuticals and Medical Devices
- Property & Casualty Insurance
- Trade Secrets / Noncompete Litigation and Consulting

INDUSTRIES

- Construction
- Health Care
- Real Estate

