



Amy Lane Hurwitz

SHAREHOLDER

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Overview

Amy Hurwitz is an experienced litigator whose practice focuses on the defense of mass tort, commercial, and consumer class action claims in state and federal courts. She has wide-ranging experience in all aspects of litigation, from its inception through trial. Her prior work experience in the health care industry gives her a particularly useful perspective in matters involving complex medical and scientific issues. Amy has extensive experience representing clients in the tobacco, pharmaceutical, food and beverage, and medical device industries.

Amy's experience includes conducting all aspects of the coordination and management of the defense of major corporations against both individual and class action lawsuits. She is involved in all phases of litigation, from the initial stages of fact investigation and strategy development through trial. In addition to serving various roles at the pretrial level including strategy and defensive theme development, fact investigation, expert witness development, and legal drafting, Amy has notable trial experience and has been an integral part of many trial teams.

Amy also maintains an active role in pro bono work, including advocating as a guardian ad litem and participating in local legal aid clinics.

She is active in the ABA Tort Trial and Insurance Practice Section's Trial Techniques Committee, for which she serves as committee chair.

Experience

Trial Experience

- **2015** – *Estrada v. King Multiservices*, U.S. District Court for the Southern District of Florida. Defense verdict on behalf of company and its owners in labor dispute alleging unfair wage practices under the Fair Labor Standards Act.
- **2014** – *Cuculino v. R.J. Reynolds Tobacco Co.*, Miami-Dade County, Florida. 68-year-old former smoker claiming compensatory and punitive damage for coronary artery disease caused by his addiction to cigarettes.
- **2011** – *Bowman v. R.J. Reynolds Tobacco Co.*, Duval County, Florida. Death of a 59-year old smoker claiming compensatory and punitive damages for cancer and addiction arising from the use of cigarettes containing nicotine.
- **2011** - *Koballa v. R.J. Reynolds Tobacco Co. (Koballa II)*, Volusia County, Florida. 77-year-old former smoker claiming compensatory and punitive

damages for lung cancer and COPD caused by her addiction to cigarettes containing nicotine.

- **2010** - *Koballa v. R.J. Reynolds Tobacco Co. (Koballa I)*, Volusia County, Florida. 77-year-old former smoker claiming compensatory and punitive damages for lung cancer and COPD caused by her addiction to cigarettes containing nicotine.
- **2010** - *Buonomo v. R.J. Reynolds Tobacco Co.*, Broward County, Florida. Death of 80-year-old smoker claiming compensatory and punitive damages for cancer, addiction, and fraud.
- **2007** - *Menchini v. R.J. Reynolds Tobacco Co.*, Miami-Dade County, Florida. Death of a 47-year-old former flight attendant whose estate claimed damage from exposure to environmental tobacco smoke while working in aircraft cabins. Defense verdict.
- **2007** - *Jeld-Wen, Inc. v. Nebula Glass Int'l, Inc.*, U.S. District Court for the Southern District of Florida. Represented third-party defendant in claims involving resin used in hurricane glass in homes and buildings.
- **2007** - *Wesco Distribution, Inc. v. Am. Bridge Co.*, U.S. District Court for the Southern District of Florida. Represented defendant/counter-plaintiff in claims involving installation of electrical maintenance gear.

Food, Beverage & Supplements

- Represented food manufacturer in a putative class action asserting violations of Florida's Deceptive and Unfair Trade Practices Act relating to the marketing of yogurt products.
- Represented beverage manufacturer in a putative class action/multidistrict litigation asserting violations of Florida's Deceptive and Unfair Trade Practices Act relating to the contents and marketing of the manufacturer's margarita mix.
- Represented supplement manufacturer in a putative class action asserting violations of Florida's Deceptive and Unfair Trade Practices Act relating to the marketing of energy products.

Pharmaceutical & Medical Device

- Represented drug and medical device manufacturers in multistate and nationwide prescription drug personal injury litigation as well as over-the-counter products, including actions consolidated before multidistrict litigation panels.
- Defended a prescription drug manufacturer in a personal injury claim arising out of the use of a cancer therapy drug.
- Defended chemical manufacturer in case involving claims for personal injury due to exposure to client's pesticide.

Class Action

- Represented the largest automobile insurance carrier in Florida in defense of various class action lawsuits filed by providers of MRI services.
- Represented an airplane engine manufacturer in defense of a product liability class action alleging the engine was defective.

Business Disputes

- Represented resin manufacturer in action involving defect claims for over 30,000 units of hurricane impact glass.

- Represented automobile manufacturer in contract dispute relating to dealership liquidation.
- Represented pool pump manufacturer in contract dispute with manufacturer of pump heat exchangers.

Premises Liability

- Represented large hotel chain against claims for personal injuries involving hotel patron's fall on hotel property.
- Represented luxury shopping mall in action for negligent security involving abduction of store employee from mall parking lot.
- Represented shopping mall in case involving attack in mall parking lot.

All Insights

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| 11.15.2017 | Sixth Circuit Litigants Beware: Exiting the American Pipe Highway Can Forfeit Your Toll |
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| 04.05.2017 | Class Notice Online Works Just Fine |
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| 02.14.2017 | Nothing Crafty About Michaels' Disclosure Under Spokeo |
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| 11.04.2016 | Spokeo Gets Lyft Off |
| <hr/> | |
| 09.26.2016 | Nothing Shady Where State Statutory Language Restricting Class Actions is Clear |
| <hr/> | |
| 09.01.2016 | No Repose for Debate on Applicability of American Pipe Tolling |
| <hr/> | |
| 04.14.2016 | Food for Thought: Ninth Circuit Court of Appeals Holds FDCA Does Not Preclude or Preempt Lanham Act Claims by Supplement Manufacturer Against Competitor |
| <hr/> | |
| 02.22.2016 | Food for Thought: Ninth Circuit Reinstates 'Natural' Labeling Class Suit Against Hain Celestial |
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| 02.15.2016 | Food for Thought: 2015 Litigation Annual Review |

All News

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| 11.02.2018 | Carlton Fields Receives Equal Justice Pro Bono Award |
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Recognition

- AV Rated by Martindale-Hubbell
- Legal Services of Greater Miami's Equal Justice Pro Bono Large Firm Award (2018)

Professional & Community Involvement

- American Bar Association
 - Tort Trial and Insurance Practice Section
 - Trial Techniques Committee
 - Chair (2014–2015)
 - Chair-Elect (2013–2014)
 - Newsletter Editor (2012–2013)
 - Program Vice Chair (2011–2012)
- The Florida Bar
- The Commonwealth Institute, women's leadership organization
 - South Florida Board of Advisors (2018–present)
- Office Hiring Chair & Summer Associate Program Coordinator, Carlton Fields, Miami

Speaking Engagements

- “Focus on State Consumer Fraud Hotbeds: How Consumer Friendly Laws Are Facilitating the Growth of Food Labeling and Advertising Claims,” Pre-Conference Workshop for the ACI Food & Beverage Consumer Fraud Litigation Conference, Chicago, IL (November 2012)
- “Getting It In: Expert Testimony,” ABA Young Lawyers Division 2012 Fall Conference, Charleston, SC (September 2012)

Pro Bono

- *In re Holocaust Victim Assets Litig.*, Nos. 00-9593, 00-0613, 00-9614 (2d Cir.). Assisted with representation of objector to U.S. Holocaust survivors' class action settlement of claims against a Swiss bank in alleging that settlement was not fair to U.S. survivors.
- *Ganiko v. Ganiko*, 826 So. 2d 391 (Fla. 1st DCA 2002). Represented, up through a successful appeal, the defendant in a case alleging personal jurisdiction under Florida's Long-Arm statute.
- Amy continues to be involved with pro bono matters through the Florida Justice Institute as well as through Florida's Guardian ad Litem program.

Credentials

EDUCATION

- University of Miami School of Law (J.D., cum laude, 2000)
- University of Florida (M.H.S., 1995)
- University of Florida (B.S., with honors, 1994)

COURT ADMISSIONS

- U.S. District Court, Middle District of Florida
- U.S. District Court, Northern District of Florida
- U.S. District Court, Southern District of Florida

BAR ADMISSIONS

- Florida

- Florida State Courts

Areas of Focus

PRACTICES

- Aviation
- Class Actions
- Litigation and Trials
- Mass Tort and Product Liability
- Pharmaceuticals and Medical Devices