



Michael N. Wolgin

SHAREHOLDER

MIAMI

P : 305.347.6880

F : 305.530.0055

CONNECT

mwolgin@carltonfields.com

[LinkedIn](#)

Overview

Michael Wolgin defends insurance companies and financial services institutions in complex litigation matters in federal and state courts throughout the United States. His practice includes class action defense, consumer fraud, and commercial litigation. In addition, he represents and counsels insurance companies in regulatory matters, including multistate market conduct examinations.

Michael's extensive class action and complex litigation experience includes handling matters across multiple lines of insurance (for example, life insurance, reinsurance, supplemental health insurance, travel insurance, and windstorm property insurance). He also handles matters related to Lloyd's of London insurance placement and procedure, insurance brokerage, and medical provider reimbursement under Medicare and private health insurance. His focus includes litigating matters alleging breach of contract, fraud and misrepresentation, breach of fiduciary duty, and bad faith. He routinely handles expert witness discovery and e-discovery planning and management.

In addition, Michael has a broad range of experience litigating matters involving insurer insolvency and liquidation, fraudulent transfers, trademark and copyright infringement, long-term care insurance, lender-placed insurance, computer fraud and abuse, and municipal liability and civil rights litigation.

His significant appellate experience includes representing clients in the U.S. Court of Appeals for the Fourth, Fifth, Sixth, Eighth, and Eleventh Circuits, in the Florida District Courts of Appeal, and in various other state appellate courts.

All Insights

- 05.11.2022 Life Insurance Lapse Notice Class Actions Fail to Take Root: California Court Denies Certification
- 01.11.2022 California Decisions Kick Off Parade of Life Insurance Lapse Notice Cases
- 06.11.2021 Second Circuit Affirms Denial of Vacatur of Employment Arbitration Award Due to Failure to Provide Evidence of Alleged Perjury in Arbitration Proceedings
- 05.14.2021 Eleventh Circuit Revives Labor Union's Complaint to Compel Arbitration That District Court Had Found to Be Time-Barred

04.23.2021	Eleventh Circuit Holds That “Notice of a Motion to Vacate” Under FAA Cannot Be Accomplished by Email Absent Express Written Consent
04.02.2021	Sixth Circuit Reverses District Court for Exceeding Its Authority by Ruling on Arbitrability in the Presence of an Unchallenged Delegation Clause
03.09.2021	Fourth Circuit Affirms Denial of Vacatur of Arbitration Award, Finding No Deprivation of a Fair Hearing or Manifest Disregard of the Law
12.10.2020	Ninth Circuit: Website Visit Four Years After Assent To a Contract Containing a Change-of-Terms Provision Does Not Bind Parties To New Contract Terms Addressing Arbitration
10.29.2020	Ninth Circuit Affirms Denial of DIRECTV’s Motion To Compel Arbitration, Creating Circuit Split on Procedure for Determining Scope of Arbitration Agreements
10.05.2020	Fifth Circuit Affirms Significant Arbitration Award of Attorney’s Fees, Clarifying the Limited Scope of Review and Ruling That the Panel Did Not Exceed Its Authority
09.14.2020	Court Applies “Summary-Judgment-Like” Approach To Uncontested Motions To Compel Arbitration And Stay Litigation
09.03.2020	Third and Eleventh Circuits Show No “Lapse” in Judgment
08.05.2020	Second Circuit Affirms Denial of NFL Player’s Petition to Vacate Arbitration Award, Rejecting Arguments of Harm Caused by Failure to Disclose CBA-Related Documents
07.15.2020	Ninth Circuit Remands Order Denying Motion to Compel Arbitration That Failed to Address the Effect of Delegation Clause in Parties’ Arbitration Agreement
07.06.2020	From COVID-19 to Defense Strategies: The Latest Class Action Trends
06.24.2020	Eleventh Circuit Affirms Denial of Imax Corp.’s Petition to Vacate Arbitration Tribunal Rulings That Included Awards of Nearly \$1 Million in Arbitration Costs and Attorney’s Fees
06.03.2020	Third Circuit Affirms Denial of Motion to Compel Car Rental Class Action to Arbitration Based on Insufficiently Incorporated Arbitration Provisions
05.12.2020	Court Compels FMLA Employment Dispute to Arbitration, Finding That Arbitration Agreement Delegated Arbitrability to Arbitrator and Agreement Appeared Not to Be Void or Unconscionable
04.21.2020	Alabama Supreme Court Reverses Order Compelling Arbitration Based on Failure to Authenticate Arbitration Agreement

04.13.2020	Did Your Text Message or Phone Call Campaign Use an Illegal “Autodialer”?
03.31.2020	Third Circuit Addresses Interplay Between LMRA and FAA and Affirms Arbitration Award in Favor of Union Under Collective Bargaining Agreement
03.10.2020	Court Upholds Arbitration Provision Despite Allegations of Fraud in Contract’s Execution
02.18.2020	Court Compels Arbitration of Balance Billing Dispute Under a California Health Plan, Severs Certain Unconscionable Provisions, and Rejects Class Arbitration Proceedings
12.26.2019	Eleventh Circuit Clarifies Standard for New York Convention’s Public Policy Defense to Foreign Arbitration Awards <i>HarrisMartin’s Reinsurance & Arbitration Report</i>
12.17.2019	Eleventh Circuit Clarifies Standard for New York Convention’s Public Policy Defense to Foreign Arbitration Awards
11.26.2019	Court Dismisses Reinsurance Litigation in Favor of Prior Pending Action
11.05.2019	Court Orders Stay of New Arbitration Over Disputed Reinsurance Billings and Compels Parties to Proceed Before a Predecessor Arbitration Panel
10.16.2019	Second Circuit Affirms Judgment Confirming Arbitration Award in Favor of Labor Union Involving Alleged Non-Signatory to Collective Bargaining Agreement
10.04.2019	Intentional Killing a Grave Mistake Under Slayer Statutes
09.27.2019	Employment Discrimination Claim Compelled to Arbitration Despite Arguments That “Clickwrap” Stock Incentive Agreement and Discovery Limitations Were Unconscionable
09.03.2019	After Reviewing the Arbitration Record, Court Enters Default Judgment Confirming Default Arbitration Award
08.12.2019	Applied Underwriters Overcomes Bid for Renewed Motion for Class Certification in Workers’ Compensation Reinsurance Dispute
07.22.2019	Odyssey Reinsurance Obtains Summary Judgment in Fraudulent Transfer Case Against Owners of Agency Involved in Reinsurance Arrangement
07.11.2019	Life Insurer Defeats Bid to Apply Policy Lapse Statute Retroactively
07.03.2019	Ninth Circuit Affirms Order Denying Arbitration, Applying Precedent That State Law Does Not Overcome the New York Convention’s Signatory Requirement to Compel Arbitration

06.13.2019	Court Finds Panel Did Not Manifestly Disregard Law When It Entered FINRA Award in Favor of Investment Firm and Advisors in Dispute over Fraud Committed by Late NFL Player's Agent
05.22.2019	Court Finds Arbitration Panel Did Not Exceed Powers or Manifestly Disregard the Law in Confirming Award in Dispute Over Leasing of Oil Lands
05.01.2019	Ninth Circuit Affirms Order Compelling Class Arbitration in Employment Dispute Involving Two Employment Agreements With Varying Arbitration Provisions
04.10.2019	California Appellate Court Holds U.S. Supreme Court's Epic Systems Ruling Does Not Authorize Waiver
08.02.2018	Rhode Island Amends Laws to Permit Voluntary Restructuring of Insurers Using Protected Cells with Commissioner Approval
07.31.2018	Court Orders Compliance with Arbitral Subpoenas, Deferring to the Panel's Assessment of the Value of the Requested Testimony
06.21.2018	Idaho, South Carolina, and Tennessee Update Credit for Reinsurance Laws
06.20.2018	Update On Amendments To State Captive Insurance Laws
01.24.2018	English High Court of Justice Orders Disclosure of Bank's Records Related to Misdirected Reinsurance Premiums
11.01.2017	National Flood Insurance Program Reauthorized Through December 8, 2017
07.20.2017	Eighth Circuit Affirms Order Compelling Arbitration, Rejecting Contract Defenses of Unconscionability and Lack of Consideration
07.18.2017	Texas and Wisconsin Join List of States Permitting Domestic Surplus Lines Insurance
06.29.2017	Montana Enacts Captive Insurance Law Impacting Reciprocal and Dormant Insurers
05.18.2017	Arbitrator's Pre-Iskanian Decision That Paga Claim Must Proceed on an Individual Basis Was Not a "Manifest Disregard of the Law"
05.16.2017	English High Court of Justice Analyzes Standards Governing Fraudulent Inducement Claims in Reinsurance Disputes
04.27.2017	Second Circuit Finds Arbitrator Did Not Commit a Manifest Disregard of the Law in Dispute Over Construction Work at the Whitestone Bridge

04.25.2017	Putative Class Action Involving a Patented Reinsurance Arrangement for Workers' Compensation Coverage Largely Survives Dismissal
04.06.2017	South Dakota Adopts Credit for Reinsurance Model Law
03.16.2017	Court Finds That Arbitration Award That Interpreted Contract "Termination" to Include Contract "Expiration" Was Not a "Manifest Disregard of the Law"
02.22.2017	Ninth Circuit Affirms Orders Denying Arbitration in Two Class Action Lawsuits Against Samsung
10.13.2016	Potential Secondary Effects of Regulatory Examinations: Evidentiary Issues and Preclusion in Parallel Litigation
07.08.2014	FINRA Continues Investor-Friendly Arbitration Reforms
05.01.2013	Mandatory Class Action Waivers Upheld
11.01.2012	Cedent Sues Over Absence of Required Security
11.01.2012	English Court Says Expert May Testify Against Former Client
11.01.2012	Lawyers Chastised for Ignoring Adverse Authority on Appeal
05.01.2012	Third Circuit Sinks (b)(2) Class for Lack of Standing
05.31.2010	Arbitration Roundup

All News

06.08.2021	U.S. Class Action Spending Reaches New High of \$2.9B; Companies Report Spike in Volume and Complexity of Matters, Survey Says
06.08.2021	Carlton Fields' 2021 Class Action Survey Findings Featured in Media
07.07.2020	U.S. Corporate Class Action Defense Spend Exceeds Projections, Survey Says
04.16.2019	Carlton Fields Releases Annual Class Action Survey Results
06.12.2018	Carlton Fields' 2018 Class Action Survey Featured in Top Business and Legal Publications
02.20.2017	Carlton Fields Promotes Miami Attorney Michael N. Wolgin to Shareholder

Recognition

- William Reece Smith Jr. Pro Bono Award (2015)
- Recognized for excellent pro bono advocacy by Legal Services of Greater Miami (Fall 2011)

Professional & Community Involvement

- American Bar Association

Speaking Engagements

- "A Pandemic of Litigation - An Update of Class Action Litigation Affecting the Travel Insurance Industry," U.S. Travel Insurance Association Annual Conference (October 20, 2020)

Credentials

EDUCATION

- University of Miami School of Law (J.D., magna cum laude, 2007)
 - Staff Editor & Associate Editor, *Inter-American Law Review*
- Yeshiva University (B.S., magna cum laude, 2004)

COURT ADMISSIONS

- U.S. Court of Appeals, Third Circuit
- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Middle District of Florida
- U.S. District Court, Southern District of Florida

BAR ADMISSIONS

- Florida

Areas of Focus

PRACTICES

- Appellate & Trial Support
- Class Actions
- Financial Services Regulatory
- Fintech and P&C Insurance Regulatory and Transactional
- Life, Annuity, and Retirement Litigation
- Life, Annuity, and Retirement Solutions
- Litigation and Trials
- Property & Casualty Insurance