



# Michael N. Wolgin

SHAREHOLDER

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## 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

10.04.2019    Intentional Killing a Grave Mistake Under Slayer Statutes

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07.11.2019    Life Insurer Defeats Bid to Apply Policy Lapse Statute Retroactively

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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

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- 04.25.2017 Putative Class Action Involving a Patented Reinsurance Arrangement for Workers' Compensation Coverage Largely Survives Dismissal
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- 04.06.2017 South Dakota Adopts Credit for Reinsurance Model Law
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- 03.16.2017 Court Finds That Arbitration Award That Interpreted Contract "Termination" to Include Contract "Expiration" Was Not a "Manifest Disregard of the Law"
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- 02.22.2017 Ninth Circuit Affirms Orders Denying Arbitration in Two Class Action Lawsuits Against Samsung
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- 01.31.2017 "Concrete" Disparities in Article III Case Law after *Spoeko*
- 
- 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

- 04.16.2019 Carlton Fields Releases Annual Class Action Survey Results
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- 06.12.2018 Carlton Fields' 2018 Class Action Survey Featured in Top Business and Legal Publications
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- 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

## Credentials

### EDUCATION

- University of Miami School of Law (J.D., *magna cum laude*, 2007)
  - Staff Editor (2005-2006), Associate Editor (2006-2007), *Inter-American Law Review*
  - Moot Court Competition Quarterfinalist
  - Dean's Merit Scholarship
- Yeshiva University (B.S., *magna cum laude*, 2004)

### COURT ADMISSIONS

- 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

## Background

- Intern to the Honorable Linda Ann Wells, Florida Third District Court of Appeal

## Areas of Focus

### PRACTICES

- Appellate & Trial Support
- Class Actions
- Life, Annuity, and Retirement Litigation
- Life, Annuity, and Retirement Solutions
- Litigation and Trials
- Property & Casualty Insurance