



Sylvia H. Walbolt

SHAREHOLDER

TAMPA

P : 813.229.4255

F : 813.229.4133

CONNECT

swalbolt@carltonfields.com

Overview

Sylvia Walbolt handles civil appeals in both federal and state courts, in all areas of the law, including torts, product liability, business disputes, construction, class actions, constitutional, and insurance law. In today's world of virtual oral arguments by telephone or video, she keeps abreast of effective techniques and use of technology by, among other things, serving on the newly established American College of Trial Lawyers' Task Force on Advocacy in the 21st Century.

Sylvia, a former president of the American Academy of Appellate Lawyers, presented the oral argument in an appeal resulting in the reversal of a \$1.1 billion judgment and co-authored the brief in another appeal resulting in the reversal of a \$1.58 billion judgment. She has presented oral arguments before all Florida appellate courts and has appeared in other state supreme courts, as well as various federal courts of appeal.

Board certified in Appellate Law by The Florida Bar, Sylvia is a former chair of its Appellate Practice Committee. She is an elected life member of the American Law Institute. She has written and spoken prolifically on appellate advocacy and trial preservation issues.

Fellow of the American College of Trial Lawyers, Sylvia was named the *Chambers* Women in Law Litigation Lawyer for 2013. She has been listed in *The Best Lawyers in America* for more than 26 years, and in *Chambers USA* (Appellate Litigation) for many years.

Sylvia is especially active in pro bono matters and has received honors for such work at both the state and national level. She was the 2016 recipient of the John Paul Stevens Guiding Hand of Counsel Award from the American Bar Association's Death Penalty Representation Project. She is Carlton Fields' chair emerita and leads the firm's national Appellate Practice and Trial Support Group.

Experience

- *Barry M. Brant, as trustee, v. Metropolitan Life Insurance Company*, No. 4D20-1207 (Fla. 4th DCA Sept. 16, 2020). Successfully defended against prohibition petition and obtained appellate decision holding that the local action rule permitted a lender to bring its multimillion-dollar foreclosure case in a single action, even where the underlying properties are located in multiple counties.

Favorably resolved claimed inter-district split on the application of the local action rule.

- *Bechtel Corp. v. Batchelor*, 250 So. 3d 187 (Fla. 3d DCA 2018), *review denied*, No. SC18-1210, 2019 WL 1339465 (Fla. Mar. 26, 2019). Florida's Third District Court of Appeal reversed a \$12.8 million verdict and remanded for entry of judgment as a matter of law in favor of our client, a contractor who had performed maintenance on the premises where the plaintiff was exposed to asbestos. The appellate court agreed that the plaintiff failed to prove that our client had sufficient control over the power plant such that it could be held responsible in a premises liability action. In addition, the court held that the trial court had improperly provided an adverse inference jury instruction. Read Initial Brief and Reply Brief.
- *Pinellas Cty. v. Richman Grp. of Fla., Inc.*, 253 So. 3d 662 (Fla. 2d DCA 2017). Florida's Second District Court of Appeal reversed a \$16.5 million award in an action alleging constitutional violations by the county's denial of a developer's application to change a comprehensive land use plan. The appellate court determined that the zoning denial was rationally based on legitimate government concerns. Read Initial Brief and Reply Brief.
- *Block 40, LLC v. CND Grp., LLC*, 233 So. 3d 1117 (Fla. 4th DCA 2017). Affirmed judgment obtained in multimillion-dollar commercial transaction concerning the issues of tender and attorneys' fees.
- *Holmes Reg'l Med. Ctr., Inc. v. Allstate Ins. Co.*, 225 So. 3d 780 (Fla. 2017). Obtained reversal and judgment for medical care providers in medical malpractice litigation with respect to subrogation claim by initial tortfeasors.
- *Vancelette v. Boulan S. Beach Condo. Ass'n, Inc.*, 229 So. 3d 398 (Fla. 3d DCA 2017) Obtained affirmance of summary judgments under Florida's *Slavin* doctrine, which shifts the duty, post-construction, to the owner to correct a patent, potential hazard on its property.
- *Griffin v. ARX Holding Corp.*, 208 So. 3d 164 (Fla. 2d DCA 2016). Affirmance of judgment in suit for compensation and stock under employment contract.
- *McDaniel v. Fifth Third Bank*, 192 So. 3d 489 (Fla. 5th DCA 2016). Affirmance of dismissal of putative class action alleging unlawful bank fees.
- *Charlotte Cty. v. Andress Family Fla., LP*, 186 So. 3d 1029 (Fla. 2d DCA 2016). Affirmance of multimillion-dollar final judgment in inverse condemnation action.
- *Dello Russo v. Fifth Third Bank*, 634 F. App'x 774 (11th Cir. 2015). Affirmance of dismissal of multimillion-dollar damage claim based on lender's alleged fraud and unjust enrichment in conjunction with guaranty.
- *Figueroa v. Hynes*, 200 So. 3d 98 (Fla. 5th DCA 2015). Affirmance of final judgment on sanctions in connection with mediated settlement agreement.
- *Bond Safeguard Ins. Co. v. Nat'l Union Fire Ins. Co. of Pittsburgh*, 628 F. App'x 648 (11th Cir. 2015). Affirmance of summary judgment in favor of directors and officers liability carrier in *Coblentz* action involving "arising out of" contract liability exclusion.
- *MarineMax, Inc. v. Nat'l Union Fire Ins. Co. of Pittsburgh*, 616 F. App'x 417 (11th Cir. 2015). Affirmance of judgment applying "arising out of" contract liability exclusion.
- *Carlton Fields v. SP Healthcare Holdings, LLC*, 163 So. 3d 1274 (Fla. 2d DCA 2015). Reversed discovery sanctions awarded without an opportunity to be heard at an evidentiary hearing.

- *Citrus Cty. Hosp. Bd. v. Citrus Mem'l Health Found., Inc.*, 150 So. 3d 1102 (Fla. 2014). Invalidating special law enacted by the legislature that transferred control over hospital as violative of the Contracts Clause of the Florida Constitution.
- *McDaniel v. Fifth Third Bank*, 568 F. App'x 729 (11th Cir. 2014). CAFA appeal; vacating remand order based on amount in controversy.
- *Scruggs v. Latvala*, 141 So. 3d 188 (Fla. 2d DCA 2014). Affirmed summary judgment in favor of county and county commissioners in lawsuit claiming violation of alleged term limit requirements.
- *Gen. Elec. Capital Corp. v. Shattuck*, 132 So. 3d 90 (Fla. 2d DCA 2014). Reversing \$1.1 billion judgment that was amended to add numerous entities after trial.
- *Silveira v. Estate of Locascio*, 138 So. 3d 458 (Fla. 3d DCA 2014). Affirming probate court award of attorneys' fees and ordering distribution of monies.
- *Estate of Pitts v. City of Atlanta*, 746 S.E.2d 698 (Ga. Ct. App. 2013). On remand from decision by Georgia Supreme Court vacating court of appeals' prior opinion, judgment again affirmed based on a third-party beneficiary of insurance provisions in construction contracts and determination that contract claim was not precluded by workers' compensation immunity.
- *Whitney Nat'l Bank v. Golf Strategies, LLC*, 125 So. 3d 985 (Fla. 2d DCA 2013). Challenge to final judgment in a case arising from a default on a loan by individuals who personally guaranteed the loan, arguing that the judgment contained language that exceeded its jurisdiction. Opinion struck that language from the final judgment.
- *Golf Club at Bridgewater, L.L.C. v. Whitney Bank*, No. 8:12-cv-01604, 2013 WL 1193182 (M.D. Fla. Mar. 22, 2013). Affirmed the decision of the bankruptcy court compelling the sale of the debtor's property in accordance with bankruptcy plan.
- *Archer W. Contractors, Ltd. v. Estate of Pitts*, 735 S.E.2d 772 (Ga. 2012). Reversed ruling by court of appeals that deceased worker on airport construction project was a third-party beneficiary of insurance provisions in contracts between owner, construction manager, and subcontractor.
- *Town of Longboat Key v. Islandside Prop. Owners Coal., LLC*, 95 So. 3d 1037 (Fla. 2d DCA 2012). Denying petition for second-tier certiorari review of order quashing municipal order granting land use application.
- *Health First, Inc. v. Hynes*, 114 So. 3d 995 (Fla. 5th DCA 2012). Reversed order sanctioning appellants for attempting a fraud on the court, holding facts were unclear and that evidentiary hearing should be held.
- *Butler v. Whitney Nat'l Bank, N.A.*, 90 So. 3d 283 (Fla. 2d DCA 2012). Affirmed judgment for bank on claims wrongfully failed to honor power of attorney and awarding attorneys' fees, including fees for litigating amount of fees.
- *Carlton Fields, P.A. v. Locascio*, 81 So. 3d 611 (Fla. 3d DCA 2012). Successfully challenged through a petition for writ of prohibition an order from the probate court that attempted to extend its power beyond jurisdictional boundaries when it announced an intent to equitably distribute assets that were not part of the probate estate.
- *CH2M Hill Inc. v. Astaldi Constr. Corp.*, 77 So. 3d 1273 (Fla. 4th DCA 2012). Affirmed jury verdict for general contractor against construction program manager.
- *Astrotel, Inc., v. Verizon Fla., LLC*, No. 2D11-2723, 2012 WL 209146 (Fla. 2d

DCA Jan. 25, 2012). Affirmed arbitration award on telecommunications interconnection agreement.

- *Office Depot, Inc. v. Nat'l Union Fire Ins. Co. of Pittsburgh*, 734 F. Supp. 2d 1304 (S.D. Fla. 2010), *aff'd*, 453 F. App'x 871 (11th Cir. 2011). Summary judgment in favor of insurer on insured's claims of more than \$24 million in investigation costs of possible security laws violations.
- *Carlton Fields, P.A. v. LoCascio*, 59 So. 3d 246 (Fla. 3d DCA 2011). Reversing grant of equitable subrogation over attorneys' fees lien.
- *Festival Fun Parks, LLC v. Livingston*, 65 So. 3d 1062 (Fla. 4th DCA 2011). Affirming jury verdict in personal injury case in which claim was asserted that fraudulent evidence was adduced at trial.
- *S&B/BIBB Hines PB 3 Joint Venture v. Progress Energy Fla., Inc.*, 365 F. App'x 202 (11th Cir. 2010). Affirmed dismissal with prejudice of claims against general contractor for additional compensation due to unexpected construction costs.
- *Harper Mech., LLC v. Hunt Constr. Grp., Inc.*, 23 So. 3d 772 (Fla. 5th DCA 2009). Affirmed grant of summary judgment for general contractor on claim for additional compensation for construction work despite release of claims.
- *Coleman (Parent) Holdings Inc. v. Morgan Stanley & Co.*, 20 So. 3d 952 (Fla. 4th DCA 2009). Affirmed denial of Rule 1.540 motion to set aside judgment for Morgan Stanley mandated by prior decision that reversed \$1.58 billion judgment for securities fraud.
- *Carey v. Rocke*, 18 So. 3d 1266 (Fla. 2d DCA 2009). Affirmance of determination of undue influence by lawyers upon testator and reversal/remand to determine how estate would pass.
- *Keith v. ManorCare, Inc.*, 218 P.3d 1257 (N.M. Ct. App. 2009). Reversal of a \$53.2 million wrongful death judgment based on erroneous summary judgment determining parent company was employer of nursing home staff and allowing punitive damages against parent.
- *Warner v. Columbia/JFK Med. Ctr. LLP*, 305 F. App'x 610 (11th Cir. 2008). Affirmed verdict in doctor's discrimination case and rejected argument regarding jury instructions.
- *Morgan Stanley & Co. v. Coleman (Parent) Holdings Inc.*, 955 So. 2d 1124 (Fla. 4th DCA 2007). Reversal of jury verdict of \$1.58 billion in securities fraud case because damages proof was legally insufficient.
- *Bland ex rel. Coker v. Health Care & Ret. Corp. of Am.*, 927 So. 2d 252 (Fla. 2d DCA 2006). Affirmed order compelling arbitration under nursing home arbitration agreement with limitations on statutory remedies.
- *RTM Media, L.P. v. Hillsborough Cty.*, 926 So. 2d 1284 (Fla. 2d DCA 2006). Affirmed dismissal of antitrust claim regarding county ordinance on billboards.
- *Werneck v. Worrall*, 918 So. 2d 383 (Fla. 5th DCA 2006). Reversal of jury verdict in wrongful death case, based on improper opening statements and closing arguments.
- *Transamerica Leasing, Inc. v. Inst. of London Underwriters*, 430 F.3d 1326 (11th Cir. 2005). Reversal of jury verdict regarding damages under English maritime insurance policy.
- *Gen. Motors Corp. v. Porritt*, 891 So. 2d 1056 (Fla. 2d DCA 2004). Reversed product liability action involving expert witness issues.
- *FLA Orthopedics, Inc. v. Am. Ins. Co.*, 896 So. 2d 1 (Fla. 3d DCA 2004). Affirmed dismissal of claim against insurer for negligent supplying of

information.

- *Access Now, Inc. v. Sw. Airlines Co.*, 385 F.3d 1324 (11th Cir. 2004). Affirmed dismissal of action under Americans with Disabilities Act involving access to website.
- *Edward Brochu v. City of Rivera Beach*, 304 F.3d 1144 (11th Cir. 2002). Reversed jury verdict in Section 1983 employment retaliation case and remanded for judgment in favor of employer.
- *Humana Health Ins. Co. of Fla., Inc. v. Chipps*, 802 So. 2d 492 (Fla. 4th DCA 2001). Reversed jury verdict in case involving default liability for punitive damages due to discovery sanctions.
- *Univ. of Miami, Inc. v. Spunberg*, 784 So. 2d 541 (Fla. 4th DCA 2001). Reversed verdict in suit alleging breach of medical staff bylaws and tortious interference.
- *Donato v. Am. Tel. & Tel. Co.*, 767 So. 2d 1146 (Fla. 2000). Affirmed dismissal of claim under Florida's statute prohibiting discrimination based on marital status.

All Insights

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| 04.15.2021 | Moving for Judgment as a Matter of Law: How Specific Must You Be? |
| 07.08.2020 | Rejecting Precedent: What Cases About Abortion Rights and the Sixth Amendment Teach Us About Preserving Objections to Existing Case Law |
| 06.25.2020 | Florida Legislative Amendment Impacting County Court Appeals |
| 06.01.2020 | Mastering "Zoom Advocacy"
<i>American College of Trial Lawyers</i> |
| 05.04.2020 | Brief Writing in an Age of Virtual Oral Appellate Arguments |
| 01.25.2020 | Jurors are Only Human: Proper Instructions Can Aid Their Good-Faith Deliberations
<i>Litigation Practice Law Journal, American Bar Association</i> |
| 10.30.2019 | Read the Case — The Whole Case! |
| 09.12.2019 | Unforced Errors: Don't Leave a Ground of the Court's Ruling Unchallenged |
| 08.26.2019 | What's the Question?: Framing Issues on Appeal
<i>Appellate Practice Newsletter</i> |
| 06.12.2019 | Form Over Substance? High Court Agrees to Take a Look at an Old Fifth Circuit Rule Requiring Formal Objection |

06.10.2019	The Misleading Ellipsis
03.22.2019	Openings in Appellate Oral Arguments
03.18.2019	Preserving the Record
03.18.2019	Trial Checklist
02.06.2019	As an Advocate, Welcome Questions From the Bench and Use Them to Win Your Appeal
10.31.2018	Three Ways to Annoy an Appellate Court Clerk – and Jeopardize Your Appeal
10.18.2018	8 Questions Clients Must Ask About Draft Briefs to Help Win Appeals
09.13.2018	To Err Is Human, but the Topsy Coachman Rule Can Get the Trial Judge Home
04.06.2018	Together, But Independent – Finality Under Rule 42(a) Consolidation
02.06.2018	From De Novo to Clear Error: Don't Risk Your Standard of Review When Objecting to a Magistrate's Report
07.07.2017	You Gotta Serve Somebody, But You Gotta Do So Correctly: Preserving Sanctions Motions
11.30.2016	Off The Record. Or Not?
08.23.2016	The Art of Evaluating an Appeal: 10 Hard-Learned Tips
06.01.2016	The Evolution of Women's Rights in Florida
02.12.2016	Food for Thought: Ninth Circuit Holds California's Nonfunctional Slack Fill Regulations for Meat and Poultry Are Preempted by Federal Law
12.15.2015	The Reply Brief: Turning "Getting the Last Word" into "Getting the Win"
08.30.2015	Isn't That Special – Florida Adopts a New Harmless Error Rule

10.19.2014	National Union Prevails on \$40 Million Coblenz Enforcement Action in D&O Case
01.07.2014	Application of the Judicial Estoppel Doctrine in Florida, Georgia, and Federal Courts
11.11.2013	Pitfalls of the Verdict Form and the Two-Issue Rule
09.22.2013	Tips for Preserving the Record: The "Opening the Door" Opportunity and the Art of the Proffer
08.30.2013	23 Tips for Improved Jury Instructions
08.26.2013	New Twists on Florida's 'Tipsy Coachman' Doctrine
08.26.2013	10 Appellate Commandments for Trial Lawyers
07.09.2013	Comparison and Contrast: Differing Standards for Inferences in Federal and Florida State Courts
07.01.2013	Another Review of Petitions for Writ of Certiorari in Zoning Cases: Property Rights, Police Power, and the Right to Appeal
07.01.2013	The CAFA Year in (Appellate) Review: A Look Back at the Class Action Fairness Act in the Circuit Courts of Appeals in 2012-2013
04.21.2013	Fourth Circuit Court of Appeals Puts Teeth into the "In Fact" Exclusions of a D&O Policy
02.28.2013	It Was a Dark and Stormy Night
02.14.2013	Tips for Trial Counsel on Planning, Preparation, and Preservation: Considerations When Drafting Verdict Forms
02.11.2013	Tips for Trial Counsel on Planning, Preparation and Preservation: Creating Defensible Jury Instructions and Planning for a Charge Conference
01.08.2013	Tips for Trial Counsel on Planning, Preparation, and Preservation: The "Opening the Door" Opportunity and the Art of the Proffer
01.02.2013	The Florida Supreme Court's Ten Most Impactful Decisions of 2012

12.18.2012	Tips for Trial Counsel on Planning, Preparation and Preservation: Combating Admission of Settlement Evidence after Saleeby
06.28.2012	Young Lawyers: Keys to Successful Writing and Unlocking Your Talent
01.01.2012	The CAFA Year in (Appellate) Review
12.29.2011	Appellate Counsel's Tips Regarding Jury Instructions
12.29.2011	Pitfalls of the Verdict Form and the Two-Issue Rule
10.26.2011	Others Who Were Battered and Bruised
10.17.2011	Eleventh Circuit Holds No Coverage For Investigation Costs
09.01.2011	Ten Appellate Commandments for Trial Lawyers
08.26.2011	Twenty Tips from a Battered and Bruised Oral-Advocate Veteran
06.01.2011	The Three Commandments for the Extraordinary Associate; Six Skill-Enhancing Steps for a Young Appellate Lawyer; A Few of an Old Curmudgeon's Pet Writing Peeves
03.01.2011	The 'Essential Requirements of the Law'— When Are They Violated?
01.07.2011	The Florida Supreme Court's Ten Most Impactful Decisions of 2010
01.06.2011	Top 10 Florida Appellate Business Decisions of 2010
09.01.2010	De Primo Anno Curiae
07.05.2010	From Chattel to Justice
10.01.2009	Original Proceedings, Writ Large
11.03.2008	"I Must Dissent." Why?
06.01.2008	Statutory Construction In Florida: In Search Of A Principled Approach <i>Florida Coastal Law Review</i>
11.01.2007	Off The Record

02.07.2005	Petitions for Extraordinary Relief
02.01.2004	Jury Instructions: A Road Map for Trial Counsel
12.29.2003	Amicus Briefs Revisited
01.01.2003	Amicus Briefs: Friend or Foe of Florida Courts?
12.27.2002	Extraordinary Writs and Remedies
03.15.2001	When It's Your Last Chance: Tips on Obtaining Discretionary Review
11.01.1999	Pointers on Preserving the Record
10.01.1996	Common Law Certiorari -- Where An Appeal Will Not Provide An Adequate Remedy
All News	
09.30.2020	Carlton Fields' Gary L. Sasso Named One of Florida's Most Influential Business Leaders
09.21.2020	Carlton Fields' Sylvia H. Walbolt Featured in Article about Trailblazing ACTL Fellows
04.23.2020	Carlton Fields Ranks Among Best in Chambers USA 2020 Guide
01.10.2020	Jurors Are Only Human
09.18.2019	Carlton Fields' Gary L. Sasso and Sylvia H. Walbolt Recognized as Two of Florida's Most Influential Business Leaders
05.03.2019	Carlton Fields Ranks Among Best in Chambers USA 2019 Guide
04.18.2019	Carlton Fields Adds Experienced Appellate Attorney David A. Karp
08.14.2018	Seven Carlton Fields Attorneys Named 2019 "Lawyers of the Year"
07.09.2018	Super Lawyers Honors 81 Carlton Fields Attorneys on 2018 Florida "Super Lawyers" and "Rising Stars"

06.29.2018	Carlton Fields Ranked Top Firm and Attorneys Named Legal Leaders in Florida Trend Magazine's 2018 "Legal Elite"
01.13.2018	After Hate Group Sues Tampa to Overturn Prohibition of Dangerous Conversion Therapy for Minors, Equality Florida Files Motion to Defend the Ban Alongside the City of Tampa
08.15.2017	78 Carlton Fields Attorneys Named "Best Lawyers in America"
06.23.2017	Florida Super Lawyers Ranks 92 Carlton Fields Attorneys as 2017 "Super Lawyers" and "Rising Stars"
06.21.2017	Carlton Fields Ranked Top Firm and Attorneys Named Legal Leaders in Florida Trend Magazine's 2017 "Legal Elite"

Recognition

- Board Certified in Appellate Law by The Florida Bar
- John Paul Stevens Guiding Hand of Counsel Award, American Bar Association's Death Penalty Representation Project (2016)
- Women in Law Litigation Lawyer of the Year, *Chambers* (2013)
- *The Best Lawyers in America*
 - Appellate Practice, Commercial Litigation, Litigation – Antitrust, Litigation – (SEC, Telecom, Energy) Regulatory Enforcement (1987-2021)
 - Tampa "Lawyer of the Year"
 - Litigation – (SEC, Telecom, Energy) Regulatory Enforcement (2019)
 - Appellate Practice (2011, 2014)
- Top 10 Women Litigators, *National Law Journal* (2001)
- Pro Bono Publico Award, American Bar Association Standing Committee on Pro Bono and Public Service (2010). This award honors members of the legal community who enhance the human dignity of others by improving or delivering volunteer legal services to the poor or disadvantaged.
- The Florida Bar Foundation Medal of Honor Award (2009). The Medal of Honor is The Florida Bar Foundation's highest award given to a member of Florida's legal profession for achievements in duty and service to the public, improvement of the administration of justice, and advancement of the science of jurisprudence in Florida.
- St. Petersburg Bar Foundation Heroes Among Us Service Award (2009). This award is given to a fellow attorney who best exemplifies the legal profession through extraordinary contributions and community pro bono service to others.
- Elected Member of the Warren E. Burger Society of the National Center for State Courts (2008). The Warren E. Burger Society honors individuals who have demonstrated exemplary contributions of service or support to the NCSC.
- Tobias Simon Pro Bono Service Award (2008). The Tobias Simon Award is

given annually by the chief justice of the Florida Supreme Court to the one attorney in Florida who has given the most outstanding service in the area of pro bono legal assistance.

- John Minor Wisdom Public Service and Professionalism Award, ABA Section of Litigation (2006). This award recognizes outstanding contributions to the equity of justice, ensuring that the legal system is open and available to all.
- Wm. Reece Smith Jr. Public Service Award, Stetson University College of Law (2005). Stetson established the William Reece Smith Jr. Award in 1990 to recognize and honor individuals who have demonstrated exemplary achievements in public service. Wm. Reece Smith Jr., the award's namesake and its first recipient, was the past president of the American, International, and Florida Bar Associations and Chair Emeritus of the firm.
- James C. Adkins Award, Appellate Practice Section of The Florida Bar (2005). The James C. Adkins Award is presented to a member of The Florida Bar who has made significant contributions to the field of appellate practice in Florida.
- George C. Carr Memorial Award (2003). This award is given by the Tampa Chapter of the Federal Bar Association to recognize excellence in federal practice and distinguished service to the federal bar.
- Herbert G. Goldberg Outstanding Trial Lawyer of the Year Award (1998). This award is given annually by the Hillsborough County Bar Association Trial Lawyers Section to a lawyer who epitomizes the qualities exhibited by Herbert Goldberg: professionalism, ethics, courtesy, and love of the profession.
- The Florida Bar President's Pro Bono Service Award for the Thirteenth Judicial Circuit (2007)
- Florida 500 "Most Influential Business Leaders," *Florida Trend Magazine* (2019)
- Florida 500 "Living Legends," *Florida Trend Magazine* (2020)
- Florida Legal Elite, *Florida Trend Magazine* (2004–2018)
- Legal Elite Hall of Fame, *Florida Trend Magazine* (2009–2020)
- *Chambers USA* (2006–2017)
- Florida Super Lawyers, *Super Lawyers Magazine* (2006–2020)
- Top 50 Women Florida Super Lawyers, *Super Lawyers Magazine*
- AV Rated by Martindale-Hubbell
- Participant in by-invitation-only 2005 National Conference on Appellate Justice (Washington, D.C.)
- Participant in Anglo-American Exchange (1999–2000). The Exchange is a program that convenes every five years to allow the United States and the United Kingdom to share information as to legal developments on both sides of the ocean. Five American attorneys and five American judges comprised this country's delegation, led by Justice Anthony Kennedy and Justice Clarence Thomas of the U.S. Supreme Court.
- Pinellas County Business Women's Hall of Fame, Inaugural Inductee (2003)
- Suncoast Girl Scout Council Woman of Distinction (1995)

Professional & Community Involvement

- American Academy of Appellate Lawyers

- Fellow
 - Former President
- The Florida Bar
 - Appellate Practice Certification Committee
 - Charter Member, Former Vice Chair
 - Former Chair, Antitrust Committee
 - Former Chair, Corporation, Business and Banking Section
 - Former Chair, Special Antitrust Committee
 - Attorney-Client Privilege Task Force
- Florida Supreme Court
 - Florida Innocence Commission (Inaugural Member, 2010–2011)
 - Former Member and Chair, Standard Jury Instructions Committee – Civil Cases
 - Former Member, Criminal Discovery Commission
 - Former Member, Jury Innovations Committee
- Elected by the ABA Board of Governors to the Appellate Judges Education Institute Board of Directors (2017–2020)
- American Bar Association
 - Former Vice Chair, Antitrust Law Section
 - Former Chair, Health Care Committee
 - Council Former Member
 - Standing Committee for the Federal Judiciary
 - Former Eleventh Circuit Representative
 - Assessment Team, American Bar Association's Death Penalty
 - Moratorium Implementation Project
- American College of Trial Lawyers, Fellow
 - Task Force on Advocacy in the 21st Century
 - Task Force on Mentoring
 - Editorial Board of the *Journal*
 - Former Chair, Access to Justice Committee
 - Former Chair, Florida State Committee
 - Former Chair, Samuel E. Gates Award Committee
 - Former Chair, Courageous Advocacy Committee
 - Former Chair, Long-Range Planning Committee, Nominating Committee
 - Former Chair, Teaching Trial and Appellate Advocacy Committee
- The Florida Bar Foundation

- Former President
- American Bar Foundation
 - Fellow
- American Law Institute
 - Life Member
- Attorneys Liability Assurance Society
 - Former Director
- Bayfront Medical System Board of Trustees
 - Former Member
- Lawyers' Committee for Civil Rights Under Law
 - Board of Trustees, Honorary Lifetime Member
 - Board of Directors, Former Member
- National Center for State Courts
 - Co-Chair of The Lawyers' Committee (2006–2011)
- Florida Supreme Court Historical Society
 - President (2014)
 - Board of Trustees
 - Second Vice President (2012)
- Chester Bedell Memorial Foundation
 - Former Chair, Board of Trustees
- H. Lee Moffitt Cancer and Research Institute
 - Founding Member and Former Director
- Southern Legal Counsel Inc.
 - Board of Directors (2010)
- Chief Justice's Advisory Committee 2009
 - Tobias Simon Pro Bono Awards
 - Appointed by the chief justice of the Florida Supreme Court

Speaking Engagements

- "Legal Liabilities Series: The SAFETY Act and Civil Liability Principles," McCain Institute (April 13, 2021)
- "Can the Topsy Coachman Get You Home?," The Florida Bar Appellate Practice Section CLE (September 17, 2019)
- "A Question of Advocacy: Handling Questions From the Bench," American College of Trial Lawyers and the Advocates' Society Spring Symposium 2019, Toronto (April 24, 2019)

- "May It Please the Court: Effective Appellate Oral Advocacy," Barry University Dwayne O. Andreas School of Law (September 14, 2018)
- "May It Please the Court: Effective Appellate Oral Advocacy," American College of Trial Lawyers and the American Academy of Appellate Lawyers, The University of Texas at Austin School of Law, Austin, TX (June 23, 2017)
- "Effective Writing of Statement of Facts," Appellate Practice Section Telephonic CLE Series, The Florida Bar (May 2016)
- "Avoiding Unpreserved Error" and "Effective Brief Writing" 2016 Orange County Bar Association Bench Bar Conference, Orlando, FL (April 15, 2016)
- "Writing Your Statement of Facts," 2016 National Appellate Defense Training, New Orleans, LA (January 2016)
- "Appellate Strategies," Appellate Practice Seminar, National Association of Attorneys General, Tallahassee, FL (January 28, 2014)
- "Effective Appellate Writing," Districtwide Training Seminar, U.S. Department of Justice, U.S. Attorney's Office for the Middle District of Florida, St. Petersburg, FL (September 25, 2009)
- "Persuasive Advocacy Through Effective Writing," American College of Trial Lawyers Seminar, St. Louis, MO (October 28, 2008)
- "Advocacy of Seeking Extraordinary Writs and Remedies" and "Advanced Procedural and Litigation Issues," ALI-ABA Civil Practice and Litigation Techniques in Federal and State Courts (2007)
- "Writing an Effective Appellate Brief," 20th Annual Federal Practice and Advocacy Seminar, New Orleans, LA (2005)
- "Trial Errors Through the Eyes of the Appellate Bench," ABA Women in Products Liability Regional CLE Workshop, New York, NY (November 9, 2004)
- "Extraordinary Writs," Supreme Court Advocacy Seminar (June 3, 2002)
- "Preservation of Error: A Workshop for Trial Counsel," Fifth Circuit Appellate Practice & Advocacy Seminar (February 7, 2002)
- "Preserving Error: A Case Study in Jury Instructions," 2001 DRI Appellate Advocacy Seminar, San Francisco, CA (October 25-26, 2001)
- "Appellate Mediation," ABA Seminar (December 1, 2000)
- "Technology in the Court," with Dean Andrew M. Coates for the Anglo-American Exchange (September 17, 2000)
- "Devolution," with Justice Clarence Thomas for the Anglo-American Exchange (September 12, 1999)
- "Amicus Briefs," Florida Supreme Court Advocacy Seminar (June 11, 1999 and June 9, 2000)

Pro Bono

- *Chatman v. Ft. Lauderdale Police Dep't*, 688 F. App'x 870 (11th Cir. 2017). Counsel for appellee seeking affirmance of district court order denying qualified immunity for excessive force during arrest. Listen to the argument [here](#).
- *Kelley v. State*, 3 So. 3d 970 (Fla. 2009). Appeal in death penalty case.
- *Colwell v. Head*, No. 2001-V-847 (Ga. Super. Ct.). Death penalty case for mentally ill inmate.

- *Jones v. State*, 740 So. 2d 520 (Fla. 1999). Death penalty case involving mental competency issue and prosecutorial misconduct.
- *Lacayo v. Sodoma Farms of N.C., Inc.*, 122 F.3d 1061 (4th Cir. 1997). Wrongful death action for widow of migrant farm worker.
- *In re Holocaust Victim Assets Litig.*, Nos. 00-9593, 00-0613, 00-9614 (2d Cir.). U.S. Holocaust survivors' class action settlement of claims against a Swiss bank.

Credentials

EDUCATION

- University of Florida College of Law (J.D.)
- University of Florida (B.A.)

BAR ADMISSIONS

- Florida

INDUSTRY SPECIALIZATION CERTIFICATIONS

- Appellate Practice

COURT ADMISSIONS

- U.S. Supreme Court
- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, Sixth Circuit
- U.S. Court of Appeals, Eleventh Circuit
- U.S. Court of Appeals, D.C. Circuit
- U.S. District Court, Middle District of Florida
- U.S. District Court, Southern District of Florida
- Florida Supreme Court
- Florida State Courts

Areas of Focus

PRACTICES

- Appellate & Trial Support
- Class Actions
- Litigation and Trials