



Francesco J. Palanda

Partner

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Frank Palanda counsels clients in matters involving commercial litigation, first and third-party insurance coverage, and title insurance. He works with corporations from a variety of industries on cases involving breach of contract and business torts, including fraud, breach of fiduciary duty, securities violations, civil conspiracy, and civil theft actions.

An experienced trial lawyer, Frank represents some of the world's largest real estate developers in litigation. He has litigated bad faith and coverage actions and has broad experience advising and representing insurers on first-party and third-party coverage matters and issues arising under general liability, automobile liability, and property insurance.

Prior to entering private practice, Frank served as an assistant state attorney with the Miami-Dade State Attorney's office, where he prosecuted misdemeanor and felony offenses, conducted jury and bench trials, and managed all aspects of case preparation and jury selection.

Professional Affiliations

- American Bar Association
 - Litigation Section
- Certified Criminal Conflict Counsel, Eleventh Judicial Circuit of Florida
- The Florida Bar

Honors & Awards

- Recognized on the Rising Stars list by *Florida Super Lawyers* magazine, 2009, 2011

Representative Matters

- *Garcia v. Dumenigo*, 46 So. 3d 1085 (Fla. 3d DCA October 27, 2010): Obtained successful reversal of a temporary injunction requiring a \$37,500 distribution to a shareholder because it did not maintain the status quo before the final hearing.
- *LeMcke v. Scottsdale Ins. Co.*, No. 2:24-cv-46-JLB-KCD, 2024 U.S. Dist. LEXIS 33009 (M.D. Fla. Feb. 27, 2024): On behalf of an insurance carrier,

Practices

Commercial Litigation
Real Estate & Lending

Industries

Insurance & Reinsurance
Insurance Coverage
Insurer Litigation — Bad Faith/
Extra-Contractual

Education

J.D., University of Maine
School of Law, 2004

B.S., James Madison
University, 2001

Admissions

Florida

U.S. Court of Appeals for the
Eleventh Circuit

U.S. District Court for the
Middle, Northern, and
Southern Districts of Florida



secured ruling that the carrier's decision not to invoke appraisal in response to a notice of intent (NOI) to litigate does not constitute waiver of the right to demand appraisal after having responded to the NOI.

- *Guerra v. Scottsdale Ins. Co.*, No. 23-cv-22467-ALTMAN/Reid, 2023 U.S. Dist. LEXIS 182900 (S.D. Fla. Oct. 7, 2023): Judgement on the pleadings obtained based upon roof exclusion of policy.
- *Atain Specialty Ins. Co. v. T. Disney Trucking & Grading, Inc.*, No. 3:21-cv-01097-CRK, 2023 U.S. Dist. LEXIS 164539 (M.D. Fla. Sep. 15, 2023): Summary judgment obtained as to excess carrier's duty to defend and indemnify based upon auto and employee exclusion of commercial general liability policy.
- *Ramirez v. Scottsdale Ins. Co.*, 548 F. Supp. 3d 1318 (S.D. Fla. 2021): Summary judgment obtained based upon the application of the water damage sublimit of policy.
- *Ramirez v. Scottsdale Ins. Co.*, No. 20-cv-22324, 2021 U.S. Dist. LEXIS 209716 (S.D. Fla. Oct. 29, 2021): Summary judgment obtained based upon the insured's failure to comply with prompt notice requirements of the policy.

Presentations

- Panelist, "Issues with Tracking and Using Claims Data in Claims Handling: Uses and Pitfalls of AI in Claims Handling and Litigation," Extracontractual Claims & Litigation Meeting, Tampa, Florida, April 17, 2024