



## Rory Eric Jurman

### Partner

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An experienced first-chair trial lawyer, Rory Eric Jurman litigates sophisticated high-stakes insurance disputes at all levels of state and federal courts. Trusted by his clients as the go-to resource for their defense, coverage, bad faith, and extra-contractual matters across various sectors, Rory provides strategic coverage advice for virtually every type of general, excess, umbrella, commercial general liability (CGL), D&O, employment, healthcare, and professional liability insurance policy across the country. He and his team won **Insurance Litigation Department of the Year - Midsize Firms** (*Daily Business Review*). Rory also won twice the **Most Effective Lawyer Award** (*Daily Business Review*) and has been Chambers USA Rated in Insurance since 2017.

Rory has served as lead counsel in dozens of bench and jury trials throughout the country and has protected insurers and self-insureds from billions of dollars of potential claim exposure. Understanding what it takes to achieve success, Rory's tireless efforts and unrelenting will to win defines him and separates him from other counsel. His matters routinely receive national and international media coverage. Rory has also litigated numerous matters of first impression, and his efforts consistently establish precedent that broadly shapes wide-ranging issues in insurance law. In this regard, Rory has been involved in litigations resulting in many published decisions.

Drawing on his nearly 30 years in the field, clients turn to Rory and his team for his trusted counsel, legal analysis, and industry knowledge. In his national practice, he is involved in all facets of case development, producing strategies to fit the unique needs of each matter. Through his diligence, tenacity, and command of the facts and law, Rory helps clients limit their exposure upfront and avoid disputes. When necessary, he represents them in challenging coverage, mass tort, and bad faith actions. He has achieved multiple defense verdicts in bad faith, coverage, and catastrophic loss matters, and he serves as trial Bad Faith counsel for numerous national insurers.

Notably, for the last six years, Rory has been recognized by **Chambers USA: America's Leading Lawyers for Business**. Clients in the survey boast that Rory is:

"...an excellent litigation attorney, who also has a strong focus on preventative advice."

### Practices

Commercial Litigation  
Directors & Officers Liability  
Professional Liability

### Industries

Health Care Defense  
Insurance & Reinsurance  
Insurance Coverage  
Insurer Litigation — Bad Faith/  
Extra-Contractual  
Construction  
Aviation & Aerospace  
Aging Services

### Education

C.L.M.P., Litigation  
Management Institute at  
Columbia University Law  
School, 2011

J.D., Albany Law School, 1994

B.S., Cornell University, 1991

### Admissions

Connecticut  
Florida  
Georgia  
New Jersey  
New York  
U.S. Supreme Court  
U.S. Court of Appeals for the  
Second Circuit  
U.S. Court of Appeals for the  
Third Circuit  
U.S. Court of Appeals for the  
Eleventh Circuit  
U.S. Court of International  
Trade  
U.S. District Court for the  
District of Connecticut  
U.S. District Court for the  
Middle, Northern, and  
Southern Districts of Florida



"...a highly respected insurance market practitioner, noted for his experience handling a wide range of contentious coverage and bad faith disputes."

"...a great attorney who is an excellent communicator and skilled negotiator. He thinks strategically about how to resolve cases."

Rory joined Hinshaw in 2019 and is a member of the firm's **Executive Committee**.

## Professional Affiliations

- The Federation of Defense & Corporate Counsel (FDCC)
- The Council on Litigation Management (CLM)
  - Faculty at Annual Claims College, 2014 – Present
  - Extra Contractual Committee, 2012 – Present
- Defense Research Institute (DRI)
- Federal Bar Association
- The Florida Bar
  - Aviation Law Committee
- Loss Executives Association
- National Association of Railroad Trial Counsel
- New York Bar Association
- American Bar Association
- Broward County Bar Association
  - Legal Malpractice Summit Committee, Chairperson

## Honors & Awards

- Selected by his peers for inclusion in *The Best Lawyers in America*® for Commercial Litigation, 2023 – 2024
- Recognized by *Chambers USA: America's Leading Lawyers for Business*
  - Insurance: Dispute Resolution – Florida, (Band 2) 2017 – 2023
- Honoree, Most Effective Lawyers Award in the area of Insurance, *Daily Business Review*, 2018, 2020
- Winner, Insurance Litigation Department of the Year - Midsize Firms, *Daily Business Review* Professional Excellence Awards, 2019
- Holds the AV® Peer Review Rating from [Martindale-Hubbell](#), its highest rating for ethics and legal ability

*No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*

## Representative Matters

Rory has been involved in many high-profile and confidential insurance coverage cases. He and his team, on countless occasions, have successfully obtained summary judgment, jury verdicts, and appeals in favor of insurers and corporations. A selection of his representative matters includes:

U.S. District Court for the Middle and Northern Districts of Georgia

U.S. District Court for the District of New Jersey

U.S. District Court for the Eastern, Northern, Southern, and Western Districts of New York



## Coverage and Defense Matters:

- Obtained partial defense verdict in **Conklin v. RT Engineering Corp.**, No. 3:17-cv-00415 (M.D. Fla. 2018) arising from a products liability claim alleging negligent design or manufacture and for strict liability--design defect. The jury found the defendant only 18% negligent after successfully presenting to the jury a narrative of events and supporting evidence that indicated the plaintiff was significantly more at fault than the defendant.
- Obtained partial defense verdict in **Reigelsperger v. Florida Safety Contractors, Inc., et al.**, (First District Court of Appeal), arising from a motor vehicle accident that allegedly resulted in brain damage to the plaintiff. The jury found the defendant only 20% negligent after successfully winning motions in limine to exclude evidence. The verdict was upheld on appeal.
- Obtained settlement significantly below policy limits in a sexual assault case involving an international hotel chain whereby the plaintiff alleged inadequate security, failure to protect guest from foreseeable danger, and breach of privacy in the subsequent handling of the incident.
- Won summary judgment as coverage counsel in cyber-insurance precedent setting matter **St. Paul Fire & Marine Ins. Co. v. Rosen Millennium, Inc.**, 337 F. Supp. 3d 1176 (M.D. Fla. 2018) arising from a data breach by third-party hackers. The court ruled that St. Paul owed no duty to defend the IT group under the personal injury provisions of its commercial general liability policies.
- Won summary judgment as coverage counsel in precedent-setting matter **StarStone National Insurance Co. v. Polynesian Inn, LLC**, 2020 WL 3121299 (11th Cir. 2020) arising from severe bodily injury and wrongful death claims. Convinced the court that "following form" excess liability coverage is not available above the primary policy's limits due to a "Limited Assault or Battery Liability Coverage" endorsement.
- Won summary judgment as coverage counsel in **City of Florida City v. Public Risk Management of Florida**, 307 So. 3d 135 (Fla. Dist. Ct. App. 2020) and created favorable precedent for insurers and reinsurers arising from the City of Florida City fraud claims involving issues of retroactive dates, definition of claim, interrelated wrongful acts, notice, and reinsurance interpretation.
- Won summary judgment in **Neubert Aero Corp. v. StarStone Nat'l Ins. Co.**, 2021 U.S. Dist. LEXIS 203375 (M.D. Fla. 2021), an aviation crash and breach of pilot warranty matter. The court agreed that the pilot's lack of qualifications excluded coverage.
- Successfully resolved as coverage counsel attorney malpractice claims stemming from **SEC v. 1 Global Capital LLC et. al.**, No. 0:18-cv-61991-BB (S.D. Fla. 2020). We filed an adversary proceeding contending there was no coverage due to "related claims" and "interrelated wrongful acts" as well as various exclusions including definition of professional services.
- Defend Four Seasons Hotels and Resorts for over 25 years nationally and internationally. Obtained defense verdict for The Four Seasons in **Norkin v. Four Seasons Resort and Spa, Palm Beach Florida**, No.: 4D19-1919 (Fourth District Court of Appeal) arising from wrongful death claim involving premises liability. Verdict upheld on appeal.
- **In human tissue products liability litigation** defended distributor BioGrafts in nationwide "body snatcher" illegal-organ-harvesting fraud class action perpetuated by Michael Mastromarino and involving Regeneration Technologies, Inc. (RTI).
- Won summary judgment in **Hanover Insurance Company v. J&S Promotions, LLC**, No. 2:19-cv-00835 (M.D. Fla. 2021), where the court determined that Hanover was entitled to a summary judgment of no coverage due to breach of captain warranty and failure to hire a full-time captain as required by the policy.
- Won summary judgment as coverage counsel in precedent-setting matter **EmbroidMe.com, Inc. v. Travelers**, 845 F. 3d 1099 (11th Circuit, 2017) involving insurer obligations for pre-tender defense costs, and the Florida Claims Administration Statute.
- Won summary judgment in **Admiral Insurance Company v. Vprart, LLC, Erin Gilbert and Patrick Gilbert, et al.**, No. 1:21-cv-21312 (S.D. Fla. 2021), a catastrophic vaping matter. We were able to succeed on our retroactive and pre-existing damage defenses.
- Won summary judgment in aviation coverage dispute in **St. Paul Fire & Marine Ins. Co. v. Luke Ready Air, LLC**, 2012 U.S. Dist. LEXIS 109288 (S.D. Fla. 2012), arising from theft of aircraft by possible drug lords and granting summary judgment due to the "conversion exclusion."



- Served as coverage counsel in multiple mass torts arising from building explosions, collapses, transportation disasters, and toxic tort exposure, and crane collapses, including Champlain Towers (Surfside), FIU Bridge, Escambia County facility, and Shuckers Bar & Grill.
- Successfully resolved wrongful-death coverage aviation dispute on eve of trial ***XL Specialty Insurance Company v. Air America Flight Services, Inc., et al.***, No. 8:20-cv-00227 (M.D. Fla. 2022), which involved issues of policy rescission, breach of pilot warranty, insurance underwriting, and pilot qualifications.
- Won summary judgment as coverage counsel in precedent-setting matter ***Creative Hospitality Ventures, Inc. v. United States Liab. Ins. Co.***, 655 F. Supp. 2d 1316 (S.D. Fla. 2009), 444 Fed. App'x 370 (11th Cir. 2011) determining no coverage in FACTA case where there is no "publication."
- Successfully acted as coverage counsel in precedent-setting ***Travelers Indem. Co. et al. v. Attorney's Title Insurance Fund*** matter relating to a real estate fraud scheme that resulted in years of litigation and a \$40 million consent judgment.
- Successfully acted as coverage counsel in ***Axis Surplus Insurance Co. v. Contravest Construction***, 2012 U.S. Dist. LEXIS 77489, 877 F. Supp. 2d 1268, (M.D. Fla. 2012) precedent-setting ***Contravest*** litigation, a leading Florida construction trigger-of-coverage matter.
- Won summary judgment in ***Am. Empire Surplus Lines Ins. Co. v. Chabad House of N. Dade, Inc.***, 2011 U.S. App. LEXIS 21735 (11th Cir. 2011) enforcing the "Abuse or Molestation" exclusion to coverage.
- Successfully served as counsel for Lloyds Syndicates in year-long arbitration arising out of insurance policy interpretation dispute concerning Florida Hospital System.
- Successfully resolved on eve of trial ***Beazley Insurance Company v. Benjamin Gordon***, No: 9:18-cv-80871-DMM (S. D. Fla. 2018), involving SPAC litigation and interpretation and enforcement of "60 Day Advancement" Endorsement and the "Order of Payments" provision of the Policy.
- Won summary judgment as coverage counsel in ***Bedoya v. Travelers Prop. Cas. Co. of Am.***, 773 F. Supp. 2d 1236 (M.D. Fla. 2011) a wrongful-death matter involving UM underwriting and policy renewal issues.
- Acted as coverage counsel for insurer in Hulk Hogan medical-malpractice litigation resulting in resolution without trial.
- Assisted in successful resolution as coverage counsel for insurer in Lawrence Tynes NFL Player claim against the Buccaneers.
- ***The Law Offices of David J. Stern, P.A. v. Federal Home Loan Mortgage Corp.***, Case No. 11-CV-60623-RSR (S.D. Fla. 2011): Represented the defendant and counter-plaintiff, Federal Home Loan Mortgage Corp. ("Freddie Mac") in a breach of contract cause of action arising from legal services rendered by The Law Offices of David J. Stern, P.A. ("Stern") against Freddie Mac. In turn, Freddie Mac filed a counterclaim against Stern and asserted various causes of action consisting of legal malpractice, breach of contract, breach of fiduciary duty, negligent misrepresentation, violations of Florida's Deceptive and Unfair Trade and Practices Act, fraud, and misrepresentation. The matter was highly publicized and reported on in various national media outlets. Ultimately, we were able to reach a resolution and reduce further negative exposure and media attention on the eve of the trial.
- Won summary judgment in ***Constitution Life Ins. Co. v. Chang***, 2016 WL 6681126 (M.D. Fla. 2016) due to Policy's plain language, which excluded the alleged illness from coverage despite potential waiver arguments.
- Won summary judgment in ***Hartford Steam Boiler Inspection and Insurance Company v. Menada Inc.***, 1:17-cv-21465-UU (S.D. Fla. 2018) concerning appraisal and the determination of the value of "covered property."
- As coverage counsel, successfully handled claims involving NFL stadium relocations, player and cheerleader class actions, head injury and concussion litigation, as well as collective bargaining matters.
- Successfully resolved Cardinal Health wrongful death lawsuits as insurer coverage counsel, stemming from a patient's complications after an allegedly defective vena cava filters (IVC) involving mass-tort claims-made issues, retroactive dates, policy exhaustion, related acts.
- Successfully resolved as coverage counsel year-long failed clinical-drug arbitration with potential damages in excess of eight figures and on subsequent appeal in ***Navigators Specialty Insurance v. Pharmanet Development Group Inc., Inventiv Health Clinical, Inc.***, 826 F. App'x. 199 (3d Cir. 2020).
- Successfully served as coverage counsel in Ponzi schemes involving Onix Capital.





- Successfully acted as coverage counsel in ***Allen et al. v. Caldwell et al.***, No. 2015-CA-000722 (Fla. 1st Cir. Ct. 2020) by spearheading global mediation with hundreds of attorneys resulting in bar order arising from building explosion, and thereby preventing class actions claims and catastrophic losses in excess of one billion dollars.
- Defense Counsel in Phen-Fen MDL litigation.
- Coverage Counsel in Chinese-Dry wall MDL.
- Defense Counsel for National Hospital System.
- Coverage and defense counsel for abuse, medical malpractice and product liability matters involving life sciences companies and national hospital systems, behavioral health, and nursing facilities.
- Acted as defense counsel in Marine matter involving John Travolta's yacht *Ella Bleu* arising from hurricane damage.
- Won summary judgment in quadriplegic matter ***Ramkelawan v. Globus Med. Inc.***, No: 5:18-cv-100-Oc-JSM-PRL (M. D., 2019) arising from SECURE-C device implant. We argued the plaintiffs could not establish any single purported defect caused the core to forcefully expulse, resulting in the plaintiff's injury. The court agreed the plaintiffs failed to support the necessary elements of their manufacturing defect claim as a matter of law.
- ***Anthony Register, Administrator of the Estate of William Curtis Rogers v. Wrightsville Health Holdings, LLC and Saber Healthcare Holdings, LLC*** (New Hanover County, North Carolina): Obtained favorable settlement as coverage counsel for excess healthcare liability carrier in action arising from an elderly care facility's resident's alleged wrongful death caused by multiple slip and falls. In contrast, the defense's posture was unfavorable in their care, and the projected damages were considerable. The carrier was not apprised of all pending exposures, including False Claims Act claims, by the insured.
- ***Estate of XX v. Carlton Palms Educational Center, Inc. d/b/a Bellwether Behavior Health*** (Lake County, Florida): Achieved amicable settlement far below estimates as coverage counsel in high-profile wrongful death matter scrutinized by the media. A staff member allegedly negligently caused the passing, partly by failing to prevent the decedent from engaging in self-injurious behavior and where the decedent was allegedly burned with hot water and subjected to asphyxiation.
- ***Claimant v. Hospital System*** (Broward County, Florida): Obtained favorable pre-suit settlement in multi-million dollar exposure medical malpractice matter arising from complications following an elective aneurism surgery that allegedly caused numerous and significant life-changing impairments, including paraplegia, bilateral leg amputations, and cardiopulmonary arrest.
- ***Claimant v. Hospital System*** (Broward County, Florida): Obtained a favorable settlement as defense counsel in multi-million dollar exposure wrongful death lawsuit arising from diabetic and cardiac patient's anoxic brain injury due to airway obstruction after admission to the surgical floor for treatment of fungal infection on the patient's foot and ankle.
- For ***Torus Insurance Company*** obtained pre-trial settlement on highly favorable terms in multi-million dollar exposure gross negligence action in which teenage refugee became paralyzed when Texas hospital staff administered a paralytic drug instead of an antacid.
- Represented hospital's insurance carrier ***Torus Insurance Company*** in potential class action matter arising from nurse's misuse of single-person insulin pens on multiple patients, which in turn fomented rampant fears of blood-borne illness contagions spreading among patients, including Hepatitis-C. Our efforts limited the scope of coverage and assisted the carrier in reserving its rights in the high-damages matter.
- ***Torus Insurance Company***: As excess coverage counsel, obtained a highly favorable settlement in a medical malpractice action. Applied pressure on underlying carriers to tender policy limits or face near-guaranteed bad faith liability arising from a wrongful refusal to settle concerning a national spinal surgical center.
- Represented ***Large National Hospital Chain*** (Duval County, Florida) and obtained a highly favorable settlement as defense counsel for a behavioral health facility. It was alleged the facility failed to protect a minor child, who was purportedly subjected to sexual abuse and lewd conduct by a fellow patient.
- ***Rodriguez v. Bionx Implants, Inc.***, No. 1:02-cv-23407 (S.D. Fla.): Obtained a favorable settlement on the eve of summary judgment ruling as defense counsel for surgical implant manufacturer in products liability action arising from injuries sustained from allegedly defective and negligently designed/manufactured tack devices that were implanted into the plaintiff's shoulder during surgery. The devices later broke into numerous small pieces and caused subsequent injuries, and required additional corrective surgeries.



- **State of Texas v. Xerox, et al.**, No. D-1-GV-14-000581 (Tex. 53rd Dist. Ct.): Advised excess carrier as to coverage and defense obligations in connection with multiple lawsuits brought by dentists, dental practices, and the State of Texas related to potential Medicaid fraud stemming from alleged rubberstamping of authorization requests where applications did not meet Medicaid requirements.

#### Bad Faith Matters:

- **Vantage View Condo., Inc. v. QBE Ins. Corp.**, 0:13-cv-60629 (S.D. Fla.): We represented QBE in this first-party bad faith action arising from QBE's alleged failure to properly investigate, adjust, and pay damages caused by Hurricane Wilma. According to the complaint, QBE engaged in a general business practice of bad faith by, among other things, using experts that routinely opined that damages fell below policy deductibles irrespective of the facts and by failing to comply with all provisions of the Florida Insurance Code and the Florida Administrative Code. The lawsuit sought punitive damages. After contentious litigation involving discovery disputes and motions to eliminate the plaintiff's punitive damages request, the parties entered into an amicable settlement.
- **North Pointe Ins. Co. v. Randall Manning et al.**, Case No. 3:20-CV-00931-TJC-JRK (M.D. Fla.): Obtained favorable settlement at global mediation as coverage counsel in action arising from multimillion-dollar auto negligence suit in which the carrier faced bad faith exposure in connection with its purported wrongful denial of defense and indemnity obligations caused by the insured's late notice and lack of cooperation.
- **Estate of Jonas Delices v. Paragon Emergency Services, Inc, et al.** No. 2015-CA-6931 (Fla. 12th Cir. Ct. 2022): Advise healthcare umbrella carrier as to coverage and defense obligations in connection with medical-malpractice wrongful-death matter stemming from alleged failure to diagnose and treat the patient decedent for a stroke.
- Won defense verdict in **Brink v. Direct General Ins. Co.**, No. 19-cv-2844 (M.D. Fla. 2021) arising from \$13 million excess judgment.
- **Ortiz v. Leon Medical Centers, Inc. et al.**, No. 2018-CA-017177 (Fla. 11th Jud. Cir. 2020) – Obtained favorable settlement as coverage and bad faith counsel at mediation in connection with high exposure medical-malpractice lawsuit related to alleged wrongdoing in treating a urinary tract infection.
- Successfully disposed of \$30 million judgment in **Amerisure v. Ming & Gerelco Traffic Controls, Inc.**, No. 8:18-cv-02312 (M.D. Fla 2018) after filing preemptive declaratory judgment action in federal court, an amicable settlement was reached in an amount less than the policy limits.
- Successfully resolved matter on eve of trial acting as bad faith and coverage counsel to insurer involving cast member of The Real Housewives of Miami; **Herman Echevarria, et al. v. Garcia Lorenzo & Associates, Inc./AXIS Insurance Company**, No. 2012-049665-CA-01 (Fla. 11th Cir. Ct. 2018).
- Successfully enforced policy tender and full settlement in quadriplegic matter **Mercury Ins. Co. v. Fonseca**, 3 So. 3d 415 (Fla. 3d DCA 2009); No. 06-18955 (Fla. 11th Cir. 2008).
- Defense verdict in **Tanaka v. Geico Gen. Ins. Co.**, No. 6:11-cv-02002, (M.D. Fla. Jan. 10, 2014).
- Successfully resolved during closing arguments in **Von Der Luft v. Geico Indem. Co.**, No. 2:12-cv-14361 (S.D. Fla. 2014).
- Successful resolution after four weeks of trial in **Nobrega v. GEICO Gen. Ins. Co. Inc.**, No. 2007-CA-001551 (Fla. 19th Cir. Ct. 2013), arising from double wrongful death matter.
- Successful resolution on eve of trial in **Berencen v. Charter Oak Fire Ins. Co.**, No. 07-CV-21328 (S.D. Fla. 2007) in matter involving consent judgment.
- Won summary judgment in **St. Paul Fire & Marine Ins. Co. v. Lee**, 2008 U.S. Dist. LEXIS 34581 (M.D. Fla. 2008) in matter arising out of theft of vehicle and two wrongful death claims, limiting and defeating eight-figure exposure.
- Successful resolution on eve of trial in **Cummings v. Esurance Ins. Co.**, No. 8:21-cv-1173 (M.D. Fla. 2021) in matter involving multiple claimants and insufficient limits.
- Successful resolution on eve of trial in **Correia v. Amerisure**, No. 2014-CA-3988 (Fla. 4th Jud. Cir. Ct. 2018) in UM-related bad faith action involving multi-million dollar exposure.
- **Emily Honaker et al. v. South Broward Hospital District et al.**, No. CACE 16019972 (Broward County, Florida): Acting as extra-contractual counsel to carrier for physician defendants in pediatric critical care medical malpractice lawsuit, in which a minor allegedly contracted MRSA and sustained permanent injuries and numerous health



complications due to physician negligence. We achieved an extremely favorable policy limits acceptance following contentious litigation and settlement negotiations, during which underlying damages were estimated to exceed the policy limits by magnitudes.

- **StarStone Specialty Insurance Company v. Angels Senior Living at Connerton Court, et al.**, 8:21-cv-02723-WFJ-TGW: As excess carrier coverage counsel, we obtained a highly favorable global settlement of all claims for a fraction of the potential exposure and excess arbitration award in complex declaratory judgment action arising from the wrongful death of a resident at a senior living facility in which issues of notice compliance, policy exhaustion, and bad faith impacted all aspects of the litigation and settlement.
- **QBE Insurance Corporation**: Obtained pre-trial settlement for a fraction of multi-million dollar demand in bad faith action brought by a condominium association. Through our efforts, we dismantled portions of the claim piece-by-piece and obtained a strong "general business practice" discovery-bar order that "gutted" the claim's value.
- **GEICO Indemnity Company**: Obtained highly favorable settlement in third-party bad faith action founded on alleged improper claim handling in an underlying tort lawsuit. After we obtained an order significantly narrowing the scope and, in turn, diminishing the claim's value, the plaintiff agreed to settle for an amount considerably below the original demand.
- **National General Insurance Company**: Acted as bad faith counsel in action arising from serious T-bone motor vehicle crash that resulted in multiple-claimant injuries, including a passenger becoming tetraplegic, in which liability was hotly contested and policy limits were insufficient. Our guidance contributed to an amicable settlement made during the underlying tort trial, which shielded the carrier from facing potentially eight-figure bad faith exposure.
- **Lopez v. GEICO Cas. Co.**, No. 05-CA-006042 (Fla. 15th Cir. Ct. 2013): Obtained dismissal of bad faith claim in action involving stipulated final judgment on the grounds of lack of jurisdiction.
- **GEICO Indem. Co. v. Miret et al.**, No. 2:12-cv-379 (M.D. Fla. 2013): Obtained amicable settlement in bad faith declaratory judgment action arising from failure to settle the claim in which policy limits were rejected because hospital lienholder payee was allegedly incorrectly included in the tender check.
- **Harris et al. v. Laser Spine Institute, LLC et al.**, 15-CA-001360 (Fla. 13th Jud. Cir.): Obtained amicable pre-trial settlement as coverage counsel in contentious high exposure medical malpractice action arising from alleged spinal surgery mishaps.
- **Espinoza et al. v. Unitrin Direct Property & Cas. Co.**: Obtained successful resolution in bad faith action arising from alleged claim mishandling in which there was no reasonable opportunity to settle for policy limits, and the carrier was provided limited information in an attempt to set up a bad faith claim.
- **California Casualty Insurance Company**: Obtained successful resolution of bad faith action arising from vehicle crash causing catastrophic injuries, multiple claimants, insufficient limits, and involving five complicated mediations.
- **Torus Insurance Company**: Obtained successful resolution of medical malpractice claim arising from alleged negligence during a cervical spinal procedure. Crafted arguments under theories of confession of judgment, promissory estoppel, and broker liability to secure contribution from the carrier that claimed its policy did not provide coverage.
- **Hallmark Specialty Insurance Company**: Acted as coverage counsel in connection with a matter arising from a patient's significant complications caused by stem cell injections into the patient's knees, which included an e.-coli infection, subsequent hospitalization, and corrective surgery. Among other aspects of the claim, the stem cell product was not approved by the FDA and was voluntarily recalled before the injections occurred.
- **United States v. US Stem Cell Clinic, LLC et al.**: Coverage and bad faith counsel for a carrier in connection with complex federal and related state court action seeking injunctions against SVF manufacturer and others allegedly adulterated and misbranded drugs were purportedly outside the FDA's scope of jurisdiction and oversight.

#### Trademark Matters:

- Successfully resolved on eve of trial **Hallmark Specialty Insurance Company v. Lion Heart Surgical Supply LLC et al.**, No. 0:20-cv-61483-RAR, (S.D. Fla. Oct. 26, 2021) where we acted as coverage counsel in trademark and trade dress claims arising from J&J SURGICEL® products.



- Obtained dismissal and transfer as coverage counsel in ***Sterling Wholesale, LLC v. Travelers Indem. Co.***, 2012 U.S. Dist. LEXIS 89358 (S.D. Fla. May 29, 2012), a matter arising from J&J brand of blood glucose test strips ("Test Strips") marketed under the trade name "OneTouch Ultra."
- Defense counsel in Ethicon® suture litigation.
- Won summary judgment as coverage counsel in "advertising injury" dispute ***Sigma Tech Sales, Inc. v. Travelers Indem. Co.***, No. 08-60772-CIV, 2009 U.S. Dist. LEXIS 13170, (S.D. Fla. 2009) arising from breach of contract claims asserted by Office Depot.
- Obtained summary judgment for Certain Underwriters at Lloyd's on a matter arising from insured's alleged theft and IP dispute, by applying Advertising Liability exclusion to thereby limit exposure from \$19 million judgment.

## Presentations

- Co-Presenter, "Ethical Claim Handling and Avoiding Claims of Bad Faith," CLM's Claims College, School of Professional Lines - Level 3, Virtual Event, September 8, 2022
- "Working Effectively with Brokers During the Claims Process," CLM's 2020 and 2021 Claims College, Virtual Event, 2020 – 2021
- "Sloan Program Alumni Webinar: Medical Malpractice, System Failures, and Legal Resolution," Cornell University, Webinar, May 31, 2017
- Moderator, Broward County Bar Association 2016 Legal Malpractice Summit, October 2016
- "Strategic Considerations and Practical Solutions for Managing Employment-Related & Professional Liability Claims," ALFA International's Insurance Law, Labor & Employment, and Professional Liability Practice Groups Seminar, June 2016
- "Walking the Line without Stepping Off," Allied World Insurance Company Continuing Education Program, June 2016
- "Medical Malpractice, System Failures and Legal Resolution," Sloan Program in Health Administration, Sloan Colloquium Program, Cornell University, March 2016
- "Risk Management in Medical and Professional Malpractice Matters," The University of Tennessee Health Science Center, April 2011 and January 2014
- "Bad Faith, Coverage and Fraud," Claims and Litigation Management Alliance CLM Conference, January 25, 2013
- "Preventing and Defending Against Allegations of Institutional Bad Faith," Claims and Litigation Management Alliance CLM Conference, June 2012
- "Defense of Bad Faith Claims and Allegations of Claim Delay," Claims and Litigation Management Alliance CLM Conference, January 2012
- Lecturer, "Risk Management For Dentists in Difficult Times," NSU College of Dental Medicine, 2001 – 2010
- Lecturer, "Risk Management For Dentists in Difficult Times," The Redwoods Group Risk Management Seminars, 2006 – 2008

## Publications

- Co-Author, "Appellate Win Provides Needed Clarity on Sublimited Insurance Coverage," Law.com's *Insurance Coverage Law Center*, July 7, 2020; Republished by *PC360*, July 20, 2020; Republished by *Daily Business Review*, July 24, 2020
- Co-Author, "Florida Supreme Court Aims To Expand Bad Faith Standards," *Law360* Expert Analysis, October 22, 2018
- Co-Author, "Fla. Insurers Should Beware Expanded Bad Faith Standards," *Law360* Expert Analysis, September 26, 2018
- Co-Author, "How Fla. Insurers Can Deal With Bad Faith Claims: Part 1 and Part 2," *Law360* Expert Analysis, April 7, 2017
- Co-Author, "When and Where Punitive Damages Are Insurable: Part 1 and Part 2," *Law360* Expert Analysis, February 14, 2017





- Co-Author, "How Concurrent Cause Doctrine Shapes Florida Insurance," *Law360* Expert Analysis, January 31, 2017
- Co-Author, "Judicial Treatment of Interrelated Acts: Part 1 and Part 2," *Law360* Expert Analysis, December 5, 2016
- Co-Author, "Will the 'Pollution Exclusion' Ever Die? Part 1 and Part 2," *Law360*, November 18, 2016
- Co-Author, "Defending 'Wasting Limits' In Insurance Policies," *Law360* Expert Analysis, May 12, 2016

## Media Mentions

- "Insurer Says Miami Retaliation Scheme Not Covered," *Law360*, May 14, 2024
- "Insurers Ask 11th Circ. To Uphold Plane Damage Ruling," *Law360*, July 8, 2022
- "Split 11th Circ. Revives Bad-Faith Dispute On \$12M Judgment," *Law360*, June 28, 2022
- "Hong Kong Lender Must Get \$6M Arb. Award, Court Told," *Law360*, May 10, 2022
- "Unlicensed Pilot's Plane Damage Is Covered, 11th Circ. Told," *Law360*, May 10, 2022
- "Fla. Atty. Client Can't Escape Suit Over \$6M Arbitration Award," *Law360*, April 1, 2022
- "Plane Crash Victims Say Insurer Can't Dodge Coverage Row," *Law360*, February 22, 2022
- "Insurer Says Airline Co.'s Lies Void Coverage of Crash Suits," *Law360*, January 31, 2022
- "Broward Attorney Lands Defense Verdict in Case That Follows Insurance Litigation Trend," *Daily Business Review*, November 17, 2021
- "Judge Rejects Coverage For Unqualified Pilot's Plane Damage," *Law360*, November 17, 2021
- "Insurer, Surgical Supplier Settle Coverage Fight Over J&J Suit," *Law360*, October 26, 2021
- "Unqualified Pilot's Plane Damage Not Covered, Judge Says," *Law360*, October 21, 2021
- "Fla. Vape Co. Denied Coverage of Customer's Inquiry Suite," *Law360*, October 7, 2021
- "Surgical Co. Says Insurer's J&J Suit Coverage Is Still Disputed," *Law360*, April 14, 2021
- "Fla. Atty Wants Suit Over \$5M Award From Funding Deal Nixed," *Law360*, March 17, 2021
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## Community/Civic Activities

- Cornell University
  - Board and Committee Member
  - Course instructor and lecturer "Health Law for Managers"