“... a medical malpractice case is necessarily a battle of the experts. ...”


Lee Gunn has litigated medical malpractice cases for over 30 years. Let Gunn be your champion in the battle of expert lawyers trying medical malpractices cases.

Lee Delton Gunn IV

Insurance Coverage • Bad Faith • Serious Personal Injury • Product Liability • Medical Malpractice

401 East Jackson Street, Suite 3600 Tampa, FL 33602 | info@gunnlawgroup.com
Toll Free: 866.GUNNLAW | O: 813-228-7070 | F: 813-228-9400

gunnlawgroup.com

We work together with referral lawyers and share fees as permitted by The Florida Bar.
This Bar year, President Grace Yang has asked that we highlight the beauty and vibrancy of our community and its architecture through our magazine covers. We have partnered with the City of Tampa Public Art program, which is providing several of the photos we will be using this year, including the one on this issue’s cover of the historical neo-classical Exchange National Bank building on Franklin Street in downtown Tampa, built in 1919. The building today has been renovated and re-purposed into an event space called The Vault. HCBA will be holding its Welcome Back Membership Reception at The Vault on September 11. The photo is by Beth Reynolds, 2003 City of Tampa Photographer Laureate. Photo courtesy of City of Tampa. Learn more about the City of Tampa Public Art Program at: www.tampagov.net/art-programs/info/public-art.
20 TO REHEAR OR NOT TO REHEAR? PRESERVING ERROR FOR APPEAL
Appellate Practice Section
by Joe Eagleton

22 EXPANDING COLLABORATIVE RESOURCES, RULES AND GUIDELINES
Collaborative Law Section
by Shannon Ciesluk and Jessica Felix

24 END OF AN ERA? NEW BILL SEeks TO LIMIT ASSIGNMENT OF BENEFITS LITIGATION
Construction Law Section
by Frank T. Moya

26 HOW CAN WE MAKE THE CORPORATE COUNSEL SECTION STRONGER? GIVE US YOUR INPUT
Corporate Counsel Section
by Michael B. Stein

32 KNICK OPENS THE FEDERAL COURT DOORS TO STATE TAKINGS LITIGANTS
Eminent Domain Section
by Ryan C. Reese

40 THE RETURN OF SOCIAL SECURITY NO-MATCH LETTERS: IMMIGRATION CONSIDERATIONS
Immigration & Nationality Section
by Yova A. Borovska

43 SUPREME COURT LIMITS EMPLOYERS' DEFENSE TO JOB DISCRIMINATION LAWSUITS
Labor & Employment Law Section
by Elysse V. Gorney

44 WELCOME BACK!
Marital & Family Law Section
by Katherine C. Scott

46 WELCOME FROM MVAC'S NEW CHAIRS
Military & Veterans Affairs Committee
by Steve Berlin and Sonya Colon

IN EVERY ISSUE
41 BENEFIT PROVIDERS
49 NEW HCBA MEMBERS
51 SAVE THE DATE
58 100 CLUB
64 AROUND THE ASSOCIATION
66 CLASSIFIED ADVERTISING
66 JURY TRIALS
66 ADVERTISING INDEX
2019-20 HCBA Board of Directors

OFFICERS

Grace H. Yang
President

Paige A. Greenlee
President-Elect

John A. Schifino
Immediate Past President

Scott O. Stigall
Secretary

Robert J. Scanlan
Treasurer

DIRECTORS

Alex Caballero

Christine Derr

Victoria N. Ferrentino

Matthew Hall

Vivian Cortes Hodz

Anthony D. Martino

Cory J. Person

Jacqueline Simms-Petredis

Amanda M. Uliano

Jeff Wilcox

EX-OFFICIO

Chief Judge Ronald Ficarrotta

Judge Frances M. Perrone

Brad Kimbro
I am pleased to welcome you to the thirtieth year of the Lawyer magazine! For thirty years, the Hillsborough County Bar has brought our legal community timely and insightful articles about the happenings in our county, in the Thirteenth Judicial Circuit, and in our organization. Our magazine offers our members the opportunity to share important legal developments in all areas of the law, from appellate practice to veterans’ affairs and everything in between. In an age where so much information comes in digital form, I am proud to serve as the editor of a print magazine that provides such a service to the Hillsborough County legal community. Of course, we do offer a digital version, too, so watch your e-mail box for the Celebrating 30 Years The magazine’s success depends on your participation: as authors, as event attendees, as readers, and as advertisers.

Celebrating 30 Years

Robert H. Bonanno, Esquire Mediator/Arbitrator

- Certified Florida Circuit Civil & Federal Mediator
- Member Florida Circuit-Civil Mediator Society
- Available to serve as Special Master
- Over 37 years legal experience
- Resumé and rates available on website
- Downtown Tampa Facilities Available
- Convenient Online Calendar

www.TampaMediation.com
(813)769-3701

Continued on page 5
Continued from page 4

link after each issue of the magazine is published. But I still look forward to seeing glossy photos and interesting articles that I can hold in my hands, and I hope you do, too.

It has become Lawyer tradition for the president of the Bar to select a theme for the covers during that president’s year of service, and this year is no exception. President Grace Yang will honor the beautiful public art, scenery and architecture that graces our wonderful city. We have worked with the City of Tampa Public Art program to highlight the beauty of our city, and some amazing local photographers. We hope you will find this year’s covers as special as we do.

In honor of our thirtieth year, we are asking our readers to join us in a walk down memory lane as we highlight some of the many fabulous covers we have had over the decades. Be sure to check out the layout of five favorite covers from 1990-1995 included in this issue (at page 68); In our next issue, we will bring you five more winning covers from 1996-2000, and each issue we will highlight a five-year period until we arrive at our readers’ choice for favorite cover. Please help us find our winning cover by voting in our online polls, the next one will be held in early October!

My goal as editor of the Lawyer is to continue the great work of outgoing editor Ed Comey and ensure the magazine’s pages reflect the diversity and vibrancy of our Bar’s membership. I look forward to working with the board and our Section and Committee leaderships to ensure we give voice to a wide variety of substantive and professional development topics. Issue 1 of Volume 30 meets that goal: We have articles on several new and important Supreme Court precedents and other legal developments, as well as plenty of pictures highlighting the many events the Bar held over the summer.

The magazine’s success depends on your participation: as authors, as event attendees, as readers, and as advertisers. We welcome your submissions to our member news sections, and feel free to share event photos as well. We can’t promise every submission will be published, but we count on you to ensure we are covering all aspects of our Bar’s social and educational contributions to the Tampa community. Thank you for your readership.
Welcome to the New Bar Year!

I encourage you to explore the numerous ways that HCBA membership can benefit you.

Whether you are a long-standing member or a new member of the HCBA, I warmly welcome you to the 2019-2020 bar year! I became an HCBA member over twenty years ago, and I feel a deep sense of gratitude and honor to serve as your president this year.

If you attended the installation ceremony in June, you heard me talk about how I was a young associate new to the city of Tampa. Wiser and more experienced lawyers encouraged involvement in bar organizations as a positive part of career development. Leaders encouraged me to work on a variety of bar projects and pushed me to take on more prominent roles. I am very glad that I heeded all of this advice and found my way into great professional communities like the HCBA.

Your HCBA has 30 committees and sections where members can focus on their practice areas or learn more about different areas of law. Did you know that the HCBA offered over 60 CLE events last year and that members may order CDs from the HCBA if they need...
Continued from page 6

credits? In an effort to better serve our members, CLEs will be available for download on demand in the near future, too.

There are a variety of volunteer and leadership opportunities, some lasting for the majority of the bar year, and others only lasting a short while. If you like to plan CLEs, events, or meetings, we welcome your energy, skills and ideas. If you like to donate your time to pro bono or community service projects, there are many worthy groups who would welcome your time, care, and generosity. If you like to write, there are articles you can contribute. I encourage you to explore the numerous ways that HCBA membership can benefit you!

A stated goal of the HCBA is “to encourage camaraderie among our members.” There will be many opportunities this year to meet members and strengthen your professional network. Those opportunities include large membership gatherings like our fall kickoff event on September 11 at The Vault and the Bench Bar Conference on October 3. Please make plans to visit with old and new friends at the festive Holiday Open House on December 5, and rejoin us for our January 8 Diversity lunch. Mark your calendars, pledge pro bono hours, bring your appetite, and walk, run, or leap to the 5K Pro Bono River Run and the Judicial Pig Roast/Food Festival on February 29, 2020. We will be on the same Tampa Riverwalk route in 2020 and hope for another beautiful race day.

A variety of HCBA section and committee events will offer ways to learn, network, and meet people in smaller groups. The HCBA events calendar on hillsbar.com is a very useful way to see all upcoming events, and the Monday e-newsletters also provide news of upcoming events. In addition, our Facebook, LinkedIn, Twitter and Instagram feeds will continue to provide and share content for the social media savvy members in the HCBA.

Again, welcome to the new year! I hope many of you will attend future events and encourage others to join and find out why it’s great to belong to the HCBA.
YLD PRESIDENT’S MESSAGE
Jeff Wilcox – Hill Ward Henderson

A New Year to Get Involved in the YLD

I look forward to having you as a part of our great organization and helping us continue to make a difference this year!

The end of Summer and beginning of Fall means that we begin a new year for the HCBA Young Lawyers Division. Having been involved in the YLD since 2009, I can personally say that my involvement has given me more than I could ever put in. As the incoming president, I am excited to continue the many community events and volunteer opportunities established by the YLD. If you are new to the YLD or just looking to get more involved as a young lawyer, I encourage you to get involved in the many opportunities provided by the YLD.

If you prefer to connect by giving back to the community, the YLD offers programs like the John F. Kennedy “Read to Dream” Young Readers Initiative, Family Forms Clinic, Holidays in the New Year, Steak and Sports Day, Wills for Heroes, Law Week, and the Mock Trial Competition. These programs offer opportunities to give back to those in need, often with nothing more required than showing up and lending a helping hand!

If you want to connect by growing professionally, the YLD offers programs like the Coffee at the Courthouse Judicial Shadowing Program, the State Court Trial Seminar, and the Thirteenth Circuit Mentoring Program.

YLD Receives Award for its Health & Wellness Bingo Challenge

At the Voluntary Bar Leadership Conference in July, the YLD Member Services Committee was recognized with a Most Creative Event Award for the Committee’s first annual Health & Wellness Bingo Challenge they coordinated for the YLD in May. The Challenge kicked off with an indoor cycling event at CAMP Tampa, where a fellow HCBA YLD member guided a full class of attorneys through an intense workout, followed by networking and healthy meals catered by Fresh Kitchen and Whole Body Fuel. The remainder of the challenge involved members performing a variety of health-related activities, such as taking the stairs instead of the elevator at the office, drinking eight glasses of water, and racking up 10,000 steps in a day, while tracking the activities on their bingo cards. They concluded the Challenge at the end of May with a boot camp-style workout led by personal trainers from Camp Gladiator, followed by a presentation from ReBuilt Meals (and sample meals to take home).

Congratulations to the YLD Member Services Committee for this great initiative!
These programs provide educational opportunities to young lawyers so they can expand their knowledge and hone their practical and legal skills, and also understand the importance of professionalism and ethical conduct.

Finally, if you simply want to connect by networking with other attorneys, the YLD offers Health and Wellness events, Quarterly Happy Hours, Quarterly Luncheons, the Judicial Pig Roast, the Annual Golf Tournament, and the Annual Cornhole Tournament. Last year’s Golf Tournament sold out and we are expecting the same again this year. So be on the lookout for announcements regarding registration and sponsorship opportunities for the Tournament soon.

This list is meant to provide a flavor of the many ways young lawyers can get involved. In fact, the YLD always welcomes new ideas and ways to give back, so if you have new ideas, please share them!

To learn more about the work of the YLD and upcoming events, or to find out how to get involved or volunteer, please like the HCBA Young Lawyers Division page on Facebook, follow us on Instagram @hcbatampabayld, or visit our website at hillsbar.com/group/yld. I look forward to having you as a part of our great organization and helping us continue to make a difference this year!

REGISTRATION DEADLINE
Friday, October 11, 2019

For more information, go to www.hillsbar.com.

PLATINUM SPONSOR:

The Bank of Tampa
When she moved to Tampa in 1997 fresh out of law school, Grace Yang only knew a handful of attorneys.

But she was encouraged to get involved with the HCBA and the Tampa community by some senior partners at Holland & Knight, where she worked at the time.

The late Chesterfield Smith, the Florida legal icon and one of H&K’s founders, as well as the late Bill McBride, a longtime managing partner at the firm and a former HCBA president, were especially influential on her career, she says.

“I can still picture Mr. Smith encouraging a roomful of young lawyers to ‘be somebody’ in their communities,” Yang said. “I still have the pin from that meeting.”

Grace Yang being sworn in as HCBA's new president by Chief Judge Ron Ficarrotta.

With Her Installation as Bar President, Grace Yang Becomes First Asian American To Lead the HCBA in its 123-year History

“The words [of encouragement] I heard meant a great deal, and I plan to offer as many words of encouragement as I can as your Bar president.” — HCBA President Grace Yang

Continued on page 11

SeacoastBank

A growing firm needs more than firm handshakes. You want firm commitments, and that’s what you get from your partners at Seacoast Bank. Providing interactive technologies and individualized service, with a team dedicated to helping your business reach its financial goals.

For a list of Seacoast branch locations near you, please visit SeacoastBank.com/locations.

Joe R. Ritchie
VP, Business Banker
Joe.Ritchie@SeacoastBank.com
813.892.6589

Daniel McLaughlin
VP, Banking Center Manager
Daniel.Mclaughlin@SeacoastBank.com
321.266.6314

SeacoastBank.com | 800.706.9991
Yang shared her personal recollections with the crowd gathered at the Installation of 2019-20 HCBA Officers & Directors in June when she was sworn in as HCBA president.

Yang is the first Asian American to lead the HCBA in its 123-year history.

Richard Blau, who introduced Yang at the installation event, said he recruited Yang to work in what was then the nascent alcohol law practice at Holland & Knight.

Both Blau and Yang are now shareholders in the Tampa office of GrayRobinson.

Blau said the attorneys from across the country who specialized in alcohol regulation back then were predominantly white, older men, mirroring the industry they served.

“It took a special kind of courage back then for a newbie lawyer like Grace to venture into that milieu,” Blau said. “But she did it, and she did it with intelligence, diligence, and perseverance.”

Yang, who got her undergraduate degree at Yale and her law degree from Cornell University, is now one of the preeminent alcohol law attorneys in the United States, Blau said.

“Grace Yang is a lawyer in whom we all can take pride,” Blau told the crowd gathered at the Ferguson Law Center.

Yang was in the HCBA's inaugural Bar Leadership Institute class in 2008, and she twice served as editor of the HCBA's Lawyer magazine.

After being sworn in as president by Chief Judge Ron Ficarrotta, Yang talked about leading the HCBA this year.

“The HCBA has helped with my career development … and I truly feel a part of the Tampa community,” Yang said.

She said one issue she plans to work on, in conjunction with other Bar groups, is the centennial celebration marking the passage of the 19th Amendment to the Constitution giving women the right to vote.

Along with working with the newly installed HCBA Board of Directors on all the HCBA’s programs and events, Yang also intends to offer personal words of support and encouragement to other members just as other Bar leaders did for her.

“The words [of encouragement] I heard meant a great deal, and I plan to offer as many words of encouragement as I can as your Bar president,” Yang said.

* * *

The fall season and a new Bar year also brings new opportunities for HCBA members.

These include the opportunity to forge new relationships with other HCBA members at the various free membership events held during the Bar year.

And the opportunity to advance your career through the numerous educational and CLE seminars available through the HCBA.

So, stay connected to your colleagues and the HCBA through the HCBA's various social media platforms.

Plus, make it a point to attend the HCBA's 23rd Annual Bench Bar Conference and Judicial Reception scheduled for Thursday, Oct. 3, at the downtown Hilton, which is always a highlight during the Bar year.

Let us know what we can do to help you.

See you around the Chet.
Establishing a Blueprint for Prosecutorial Success in the 21st Century

In July, we reached another critical milestone in the FIU/MacArthur research project with the completion of a report entitled, *Race, Ethnicity and Prosecution in Hillsborough County.*

Our criminal justice system continues to evolve as more local prosecutors embrace their responsibility to tackle complex issues like recidivism, drug addiction, mental illness, crime prevention, and racial disparities. As we recognize different goals that increase public safety and promote effectiveness and fairness, we must concede that crime rates and conviction rates are imprecise measurements for our system’s success.

It is time to redefine how we evaluate the work that we do.

To that end, our office is engaged in a groundbreaking national research project that will redefine the metrics of prosecutorial success. In March 2018, we were selected as one of only four prosecutor’s offices in the nation to participate in a $1.7 million grant-funded project under the MacArthur Foundation’s Safety and Justice Challenge to study and develop more effective prosecutorial practices.

The grant funds a two-year project conducted by researchers at Florida International University and Loyola University to examine
data and policies to increase effectiveness and fairness in four districts nationwide: Hillsborough, Chicago, Jacksonville, and Milwaukee. Last December, our research partners released the first of three project reports, which summarized prosecutorial attitudes about different aspects of the criminal justice system, including goals, effectiveness, racial disparities, and community engagement.

In July, we reached another critical milestone in the FIU/MacArthur research project with the completion of a report entitled Race, Ethnicity and Prosecution in Hillsborough County. We know racial disparities exist within the criminal justice system, and that they undermine fairness and effectiveness. That report addresses how much prosecutorial discretion within our office is leading to racially disparate outcomes. Researchers spent nearly two years gathering and analyzing data from approximately 87,000 cases to compare outcomes for black, white, and Hispanic defendants across multiple stages of case processing, including charging decisions, entry into diversion programs, and sentencing. Although the report reveals disparities, the disparities were not glaring. The report, however, identifies several areas for further analysis regarding racial disparities and beyond, such as resource allocation and use of custodial sentences.

The next and final stage of this project is the development of Prosecutorial Performance Indicators (PPIs) that will rewrite the blueprint for how prosecutor’s offices measure their success. PPIs will allow our team to identify and track the performance of this office, giving us valuable tools to improve public safety, minimize racial disparities, effectively allocate resources, and make better decisions regarding charging, diversion, and sentencing.

We are proud of the proactive steps we are taking to evaluate ourselves, the effectiveness of our work, and how we live up to our mission to promote fairness and justice for everyone and to keep our community safe. From day one, we have embraced data-driven and evidence-based policies to make that mission a reality. Our participation in the MacArthur project puts Hillsborough County at the forefront of innovation in our criminal justice system. Working with our local law enforcement and community partners, we are setting the standard for prosecutor’s offices around the state and country to follow in being accountable and transparent to the communities they serve.
Have you started getting unwanted notices from my office about court cases in which you are not the lead counsel or co-counsel? If it’s a case in which you filled in one time for another attorney, and never plan to work on the case again, you likely are getting these notices because you didn’t follow Florida Rules of Judicial Administration Rule 2.505 (e).

Continued on page 15
That rule provides three ways an attorney can appear in a case:

“(1) By serving and filing, on behalf of a party, the party’s first pleading or paper in the proceeding.

(2) By substitution of counsel, but only by order of court and with written consent of the client, filed with the court. The court may condition substitution upon payment of, or security for, the substituted attorney’s fees and expenses, or upon such other terms as may be just.

(3) By filing with the court and serving upon all parties a notice of appearance as counsel for a party that has already appeared in a proceeding pro se or as co-counsel for a party that has already appeared in a proceeding by non-withdrawing counsel.”

As you know, the Clerk’s Office is responsible for creating and maintaining accurate records of all court proceedings, including the role of an attorney.

I understand that in court, especially in criminal cases, a judge is notified orally that an attorney is appearing for the attorney of record. But often that oral notification isn’t specific. So unless the court or defendant objects to the oral notification, the clerks enter the attorney as co-counsel under Rule 2.505(e)(3). Thus all of those unwanted notices.

We understand attorneys are busy, and sometimes circumstances prevent you from filing a written notice. Being specific in an oral notice allows the clerks to make that role clear in the court record. It also saves time and needless effort thereafter, and for corrective filings by the attorney to amend the role reflected in the court record.

All attorneys and all court clerks must abide by all of the court rules. By working together, and assiduously following the court rules, efficiency and camaraderie will prevail.

I look forward to continuing to serve you in a courteous, professional, and efficient manner in order to make your practice less stressful.

---

**Michael Bedke Receives 2019 Florida Bar Foundation Medal of Honor**

HCBA member Michael Bedke, a partner with DLA Piper’s Tampa office, was recognized with The Florida Bar Foundation’s 2019 Medal of Honor Award, the Foundation’s highest honor, at The Florida Bar’s annual convention in June.

Bedke was recognized for his exceptional dedication to providing pro bono service, his advocacy for AIDS patients and domestic violence survivors both locally and internationally, his invaluable support developing the No Place Like Home program, and his commitment to improving the lives of veterans, disaster survivors and law students.

Amongst his many achievements, after Hurricane Andrew, Bedke worked to pass Good Samaritan legislation that removed an impediment to lawyers providing pro bono help to disaster survivors. He also led legal relief efforts in response to Hurricane Iniki in Hawaii, the bombing of the Alfred P. Murrah Federal Building in Oklahoma City, and the terrorist attack of September 11, 2001. He founded the Greater Access and Assistance Project while chair of the ABA’s YLD, modeling it after the Courthouse Assistance Project he created as a member of Bay Area Legal Services’ board of directors.

Bedke also has worked on behalf of domestic violence survivors for more than 25 years. He was appointed to the National Advisory Committee on Violence Against Women in 2002 and has served on numerous boards working to improve access to legal help for survivors. He worked with the Women’s Caucus of the Peruvian Parliament to draft model domestic violence legislation.

As president of the board of Bay Area Legal Services in 2015, Bedke spearheaded a fundraising effort that created a $400,000 endowment for a veterans program. He also led the development and implementation of Bay Area’s No Place Like Home Project, which engages RPPTL members to provide pro bono help to low-income homeowners experiencing title issues.

Congratulations to Michael Bedke on this well-deserved recognition!
Bay Area Legal Services (BALS) has provided a Legal Information Center (LIC) from within the downtown Tampa courthouses since October 2000. Since 2012, the program has focused exclusively on family law assistance for pro se participants. Although BALS does not provide legal advice at the LIC, volunteer attorneys assist people in determining the appropriate forms and fees and address legal processes in order to make informed decisions applicable to divorce and equitable distribution, paternity, timesharing, parental responsibility, custody, child support, alimony, adoption, name change cases, and domestic violence civil injunctions. The LIC has provided help to 113,021 visitors as of December 31, 2018!

Right: Bay Area Legal Services representatives who will be assisting at the Legal Information Center at the Plant City Courthouse.

Launch of the Plant City Legal Information Program

During this pilot endeavor, BALS will provide a rotating team of attorneys who will assist the public with family law matters each Tuesday.

continued on page 17
I have always aspired to bring this very valuable service to Plant City. Well, I am happy to report that we have broadened our partnership with BALS in launching the Plant City Legal Information Program as of August 2019. During this pilot endeavor, BALS will provide a rotating team of attorneys who will assist the public with family law matters each Tuesday. The times of availability may vary, so visitors are encouraged to call (813) 276-2688 before visiting the Plant City Courthouse.

We are thrilled to provide support to the people of East County and envision the program will become very popular. I would like to thank Bay Area Legal Services for the continued support and collaboration.

We hold employers accountable.

Let us put our experience to work for your clients.

Our firm welcomes referrals of employees who have experienced wrongful termination, sexual harassment, denial of medical leave, discrimination, unlawful retaliation, a hostile work environment, or have not been paid their wages or overtime, and pays co-counsel fees in accordance with the Rules Regulating the Florida Bar.

Se Habla Español

Wenzel Fenton Cabassa, P.A. represents employees who are victims of illegal workplace violations in state and federal courts throughout Florida.
ELUS Conference

The Environmental and Land Use Section held a successful second annual Environmental and Land Use Law Conference on May 15 at the Chester Ferguson Law Center. This half-day conference and CLE featured lunch with a keynote speaker on professionalism and ethics, a private sector roundtable, updates from several government agencies involved in environmental and land use issues, and a judges panel. At the end of the afternoon, attendees adjourned to a reception to continue their discussions and networking.

Thank you to the Committee for planning this conference and to the Conference’s sponsors:

- **GOLD SPONSOR:** SurvTech Solutions
- **GREEN SPONSOR:** Synovus Bank
# Introducing the 2019-20 HCBA Committee & Section Chairs

## Appellate Practice
- Joe Eagleton - Brannock & Humphries
- Chance Lyman - Buchanan Ingersoll & Rooney, PC

## Bench Bar Committee
- Judge Caroline Tesche Arkin - 13th Judicial Circuit Court
- Judge Thomas Palermo - 13th Judicial Circuit Court
- Judge Emily Peacock - 13th Judicial Circuit Court
- Judge Samantha Ward - 13th Judicial Circuit Court

## Collaborative Law
- Shannon Ciesluk - CBIZ MHM, LLC
- Jessica Felix - Felix, Felix & Baseman, LLC

## Community Services
- Wendy DePaul - Cohen & DePaul, PA
- Lara LaVoie - LaVoie & Kaizer, P.A.
- Janae Thomas - Office of the State Attorney

## Construction Law
- Gregg Hutt - Trenam Law
- Katherine Heckert - Carlton Fields

## Corporate Counsel
- Chris Casper - Caspers Company
- Michael Stein - American Integrity Insurance Group

## Criminal Law
- Justin Petredis - The Law Offices of Justin Petredis, PA.
- Matthew Smith - State Attorney’s Office

## Diversity & Inclusion Committee
- Marsha Moses - Law Offices of Kubicki Draper
- Abraham Shakfeh - Butler Weihmuller Katz Craig, LLP

## Eminent Domain
- Ryan Reese - Moore Bowman & Reese, P.A.
- Gregory S. Rix - Gunster

## Environmental & Land Use Law
- Gordon Schiff - Gordon J. Schiff, P.A.

## Health Care Law
- Sunny Levine - Foley & Lardner LLP
- Erica Mallon - Greenway Health

## Immigration & Nationality
- Yova Borovska - Buchanan Ingersoll & Rooney, PC

## Intellectual Property
- Ryan Corbett - Burr & Forman LLP
- Patrick Reid - Burr & Forman LLP

## Labor & Employment
- Amanda Biondolino - Sass Law Firm
- Jason Pill - Phelps Dunbar, LLC

## Law Day Committee
- Judge Samantha Ward - 13th Judicial Circuit Court

## Lawyer Magazine Editor
- Dineen Pashoukos Wasylik - DPW Legal

## Lawyer Referral and Information Service
- Robert Scanlan - Young Scanlan, LLC

## Marital & Family Law
- Katherine Scott - Harris, Hunt & Derr, PA

## Military & Veterans Affairs
- Steve Berlin - Rumberger, Kirk & Caldwell, P.A.
- Sonya Colon - Law Office of Sonya C. Colon, P.A.

## Judicial Pig Roast Committee
- Eric Koenig - Trenam Law

## 5K Pro Bono River Run Committee
- Judge John Conrad - 13th Judicial Circuit Court
- Judge Miriam Valkenburg - 13th Judicial Circuit Court

## Professionalism and Ethics
- Joan Boles - Bay Area Legal Services, Inc.
- Lynn Hanshaw - Langford & Myers, P.A.

## Programs Chair
- Sarah Parrow - GrayRobinson, PA

## Real Property Probate & Trust Law
- Elaine McGinnis - Law Office of Elaine McGinnis, P.A.
- Kristin Morris - Shutts & Bowen

## Securities Section
- Eric Feld - Wiand Guerra King P.A.

## Senior Counsel
- Thomas Newcomb Hyde - Attorney at Law
- Donald Smith - Smith, Tozian, Daniel and Davis, P.A.

## Solo & Small Firm
- Matthew Crist - Crist Legal, P.A.
- Gian-Francisco Melendez - Law Office of Gian-Francisco Melendez, LLC

## Tax Law
- Chris Dingman - Barnett, Bolt, Kirkwood, Long & Koche

## Trial & Litigation
- Morgan Streetman - Streetman Law

## Workers’ Compensation
- Anthony Cortese - Anthony V. Cortese, Attorney at Law

## Young Lawyers Division
- Jeff Wilcox - Hill Ward Henderson
A cardinal rule of appellate practice is that errors must be brought to the trial court’s attention by contemporaneous objection.1 But what happens when an error appears for the first time in the judgment? Some courts have held that a litigant must “object” by filing a motion for rehearing, which satisfies the contemporaneous objection policy rationale of giving the trial court an opportunity to correct the error before presenting that error to the appellate court as a basis for reversal.2

This leads to another question, though: What if the error that has appeared for the first time in the judgment is the trial court’s failure to make statutorily required factual findings? Such errors are generally per se reversible,3 so a litigant might assume that no motion for rehearing is required. But the answer actually depends on where the litigant lives.4

In a line of cases dating back two decades, Florida’s First, Third, and Fifth District Courts of Appeal have held that a motion for rehearing is required to preserve the trial court’s failure to make statutorily required factual findings for appellate review.5 Last year, the Fourth District, sitting en banc, split from its sister districts, holding in a family law case that the failure to make factual findings is reversible error “regardless of whether a motion for rehearing is filed.”6

Until July, the Second District’s position on this issue was unclear. But in a July 3 opinion authored by Judge Sleet, the Second District finally weighed in, agreeing with the Fourth District—and certifying conflict with the First, Third, and Fifth Districts—that “the trial court’s failure to make specific factual findings that are required by statute” is “reversible error regardless of whether the error was first raised in the trial court by means of a motion for rehearing.”7

The Second District reasoned that the legislature “expressly assigned the task of making factual findings to the trial court” and “did not include a provision requiring a motion for rehearing to preserve a challenge to a lack of statutory findings.” Thus, because “[s]uch a preservation requirement is not supported by statute or rule of procedure,” the Second District declined to impose it.8 Stay tuned to see if the Florida Supreme Court decides to settle this dispute.9

What if the error that has appeared for the first time in the judgment is the trial court’s failure to make statutorily required factual findings?

---

1 See, e.g., City of Orlando v. Birmingham, 539 So. 2d 1133, 1134-35 (Fla. 1989).
3 See, e.g., Velez v. Montalvo-Velez, 253 So. 3d 117, 118 (Fla. 2d DCA 2018); Jordan v. Jordan, 199 So. 3d 343, 345 (Fla. 4th DCA 2016).
4 For a comprehensive overview of this subject, see Dan Bushell’s excellent article in a recent issue of the Florida Bar Journal. Daniel A. Bushell, When is a Motion for Rehearing Necessary to Preserve for Review a Trial Court’s Error in Failing to Make Factual 93(3) Fla. B.J. 46 (May/June 2019).
5 See Owens v. Owens, 973 So. 2d 1169, 1170 (Fla. 1st DCA 2007); Mathieu v. Mathieu, 877 So. 2d 740, 741 (Fla. 5th DCA 2004); Broadfoot v. Broadfoot, 791 So. 2d 584, 585 (Fla. 3d DCA 2001).
6 Fox v. Fox, 262 So. 3d 789, 791 (Fla. 4th DCA 2018).
8 Id. at *1, 5.
9 Id.

Author: Joe Eagleton – Brannock & Humphries
REGISTER TODAY!

Make plans now to attend
HCBA’s 23rd Annual Bench Bar Conference,
Membership Luncheon & Judicial Reception

TO THE MOON AND BACK:
EXPLORATIONS IN
LAW & ADVOCACY

THURSDAY, OCTOBER 3, 2019 - HILTON TAMPA DOWNTOWN

Featured Speakers:
- Florida Attorney General Ashley Moody, keynote speaker at the Membership Luncheon
- Hon. Catherine Peek McEwen of the U.S. Bankruptcy Court Middle District of Florida, Hon. Susan Rothstein-Youakim of the Second District Court of Appeal, and Hon. Thomas Palermo of the Thirteenth Judicial Circuit Court, discussing aspects of the newly adopted Daubert criteria
- Michael Boucher of TCS, Don Smith of Smith, Tozian, Daniel & Davis, P.A., and Ken Turkel of Bajo | Cuva | Cohen | Turkel P.A., presenting on current social media, technology and ethical issues in law and advocacy
- Plus the ever-popular “View from the Bench” sessions with the local judiciary and “View from the Box” jury panel feedback session

Sponsorship opportunities available.
Additional information on the conference and sponsorship opportunities at Hillsbar.com.
Shannon and I are so excited to chair the Collaborative Law Section of the HCBA at a time when the Florida Courts, the Florida Legislature, and the legal community have truly and sincerely embraced this alternative dispute resolution method for many areas of law, but especially family law.

In 2012, the Family Law Rules Committee first proposed the Collaborative Process Rule, which would set forth protocols for participation in the collaborative law process in family law disputes. At the time, the Supreme Court declined to adopt the proposed rule, indicating that it would be premature to do so without laws to guide the process.

Fast forward to 2016, when the legislature passed the Collaborative Law Process Act. Contemporaneously, the Florida Bar and the Rules Committee jointly filed a petition requesting that the Supreme Court adopt new Bar Rule 4-1.19 (Collaborative Law Process in Family Law) and new Family Law Rule 12.745 (Collaborative Law Process). The proposed rules were unanimously approved. The Act and the new rules took effect on July 1, 2017.

Since these changes, continued efforts have been made to refine the rules and to further guide, educate, and support collaborative professionals throughout the state and here in Hillsborough County.

There are so many great resources available to collaborative professionals within the Tampa Bay area and throughout the state that continue to grow each year. The Florida Academy of Collaborative Professionals (FACP), started just a few years ago, has already grown to over 500 members. Recently, the group started a Leadership Institute, and the group is currently in the process of finalizing a credentialing program for collaborative professionals. The FACP also offers an annual conference that provides opportunities to learn new collaborative skills and techniques for your collaborative practice.

Other local collaborative groups such as Tampa Bay Academy of Collaborative Professionals (TBACP) and Next Generation Divorce (NGD) have also seen their memberships grow substantially in recent years. These groups offer many educational and networking opportunities to their members, as they work to grow better qualified and experienced collaborative practitioners.

You can learn more about these organizations at the following links:

- **FACP**: [https://www.collaborativepracticeflorida.com](https://www.collaborativepracticeflorida.com)
- **TBACP**: [https://tbacp.org](https://tbacp.org)
- **NGD**: [https://nextgenerationdivorce.com](https://nextgenerationdivorce.com)

Having been trained in the collaborative process almost a decade ago, I am in awe of the changes I have seen in the collaborative practice since that time. The skill of my colleagues continues to amaze me, and the results that we are able to obtain for our clients through the collaborative process has renewed faith in the family law community. I cannot wait to see what the future holds for this innovative and non-adversarial legal process as it continues to grow.

During the coming year, the Collaborative Law Section will continue to work toward improving and expanding the collaborative law process and community in the Tampa Bay area. Among other things, the Section will continue to provide networking opportunities, innovative speakers, and enriching articles to help you grow your collaborative practice and skills. Stay tuned!

---

1. Fla. Stat. Ch. 61, Part III.
2. In re Amendments to Rule Regulating The Florida Bar 4-1.19, 218 So. 3d 440, 443 (Fla. 2017).

Authors: Shannon Ciesluk – CBIZ, LMHM and Jessica Felix – Felix, Felix & Baseman, LLC
Join the Hillsborough County Bar Association’s Lawyer Referral & Information Service

The Hillsborough County Bar Association’s Lawyer Referral & Information Service is now accepting attorney applications in a variety of practice areas. Our outstanding referral service receives an average of 75 calls/day, and is accredited by the American Bar Association and backed by The Florida Bar. Spanish-speaking attorneys are especially needed and encouraged to join.

To join the HCBA’s Lawyer Referral & Information Service, please fill out this interest form and mail it, along with your annual fee (listed below), to 1610 N. Tampa, St., Tampa FL 33602 or email it to LRIS@hillsbar.com. A representative will contact you to complete the application process.

I have experience and would like to receive referrals in the following types of cases:

☐ Automobile Accidents
☐ Bankruptcy or Credit Problems
☐ Buying or Selling a Home
☐ Constitutional Law & Individual Rights
☐ Consumer Problems or Complaints
☐ Contract Disputes
☐ Copyright & Patent Issues
☐ Criminal Cases
☐ Divorce or Child Custody
☐ Elder Law
☐ Labor & Employment
☐ Guardianships, Wills, Estates & Probate
☐ Immigration & Naturalization
☐ Landlord or Tenant Rights
☐ Personal Injury
☐ Medical & Dental Malpractice
☐ Military Law
☐ Social Security Benefits (SSI & SSD)
☐ Tax Law
☐ Traffic Violations
☐ Workers’ Compensation
☐ Other ______________________

☐ Please indicate if you are fluent in another language and able to assist non-English-speaking clients.

Name: __________________________________________
Firm: __________________________________________
Address: _______________________________________
Phone: _________________________________________

Qualified HCBA members can join the Lawyer Referral & Information Service for $175 per year. Qualified attorneys who are not members of the HCBA can join for $350 per year. Attorneys must have $100,000-$300,000 in malpractice insurance to participate in this service.

For more information and an application, go to hillsbar.com or call (813) 221-7783.
On May 23, 2019, Governor Ron DeSantis signed House Bill 7065, amending certain provisions of Section 627, Florida Statutes, to provide for substantial changes in the way assignments of insurance benefits (AOB) may be made to third-parties. Proponents of the bill, largely within the homeowner’s insurance industry, touted the legislation as a consumer protection measure in response to escalating abuse of AOBs by remediation contractors. The bill’s proponents further argued that such abuse has ultimately led to inflated claims, less coverage, extensive litigation, and higher policy rates for Florida property owners. Those opposed to the bill argued that AOBs provide a channel to property owners to swiftly remediate damage following a loss to insured property, while incurring little to no out-of-pocket expenses for the policyholder.

The new law imposes several new requirements for the execution, validity, effect, and coverage of AOBs, while creating a formula that will determine which party, if any, receives an award of attorney’s fees should litigation related to an AOB result in a judgment. Specifically, the law defines the term “assignment agreement” as “any instrument by which post-loss benefits under a residential [or commercial] property insurance policy...are assigned or transferred...to or from a person providing services to protect, repair, restore, or replace property or to mitigate further damage to the property.”

Another key aspect of the law is that it requires the contractor-assignee to demonstrate that the insurer is not prejudiced by the AOB and the work completed. This includes, but is not limited to, newfound requirements that the contractor-assignee maintain records of all services provided under the AOB, and furnish the insurer with a copy of the AOB within three business days of execution or beginning work. Many insurers advocating for the passage of the bill complained that they oftentimes would not receive such information until after work had already been completed and damaged property had been disposed of, prejudicing their right to investigate the claim prior to making a coverage determination.

The statute also imposes new duties owed to policyholders upon contractor-assignees, requiring accurate and updated estimates of the scope of work to be performed as supplemental repairs become necessary. This requirement may prove to keep policyholders informed throughout the frequently varying stages of the remediation process, while also holding contractor-assignees more accountable to insurers for “showing their work” before they can recover policy proceeds as a third-party beneficiary.

While these revisions appear to hold contractors seeking to perform work under an AOB more accountable to both insurers and policyholders, it may not serve to completely suppress litigation initiated by legally responsible contractors. Nevertheless, the greater concern the law presents to contractors and other proponents of AOBs is that it enables insurers to now write policies prohibiting AOBs, in whole or in part. As prior Florida legislation permitting insurers to abrogate certain forms of coverage has proven, this aspect of the law may ultimately prove to significantly reduce future litigation, simply because the coverage is less readily available to insureds.

Author:
Frank T. Maya - Carlton Fields

BECOME A 2019 SUSTAINING LAW FIRM!

by donating $350 per attorney at your firm to Bay Area Legal

Sustaining Law Firms:
- Ensure domestic violence survivors have the legal protections they need
- Reduce homelessness among veterans caused by the cycle of poverty
- Help children in foster care find permanency in stable, loving homes

Bay Area Legal Services Inc.

Thank You 2019 Sustaining Law Firms!

All Sustaining Law Firms are recognized in the HCBA’s Lawyer Magazine the CBA’s Res Ipsa Loquitur.

- Gall Martin Abercrombie, PA.
- Alley, Clark & Greiwe
- Angstadt Family Law Center
- Antz Legal Group
- Baniker Lopez Gastler P.A.
- Barnett Bolt Kirkwood Long & Koch, P.A.
- Baumgarten Kangas Estate Law
- Law Offices of Jeffrey A. Berger, P.A.
- Law Offices of Julia Best Chase, PA.
- Betts Mediation
- *Frank P. Blanco, P.A.
- Black Swan Legal Counsel, PLLC
- Richard A. Bokor, P.A.
- Eric Boles Law Firm, PLLC
- Joseph B. Brickmeyer Law, P.A.
- Buell & Elliott, P.A.
- Burnett Law, P.A.
- Burr & Forman LLP
- Law Offices of J. Kevin Carey, PA.
- Carey, O’Malley, Whitaker, Mueller, Roberts & Smith, PA.
- Chadwick Law Firm, P.A.
- Stephen C. Cheeseman, P.A.
- Linda C. Clark, PA.
- Preston O. Cockey, Jr., PA.
- Thomas E. Cone, Jr., PA.
- Cornwell Business Law
- Law Office of Thaxter A. Cooper, PA.
- Cortes Hozz Family Law & Mediation, PA.
- Danahy & Murray, P.A.
- de La Parte & Gilbert, PA.
- Sharon Docherty Dancos, PLLC
- David Knight Law
- Patrick H. Diacle, PA.
- Antonio Duarte III, P.A.
- Epperson and Rich, PA.
- Law Offices of Karen Evans
- FOREIN International
- Germain Law Group, P.A.
- Gaylord Merlin Ludovici & Diaz, PLLC
- Bruce S. Goldstein, PA.
- Leo D. Gomez, PA.
- Greco & Wozniak, PA.
- Melvia B. Green, PA.
- Peter J. Grilli, PA.
- Gunn Appelante Practice P.A.
- Gunn Law Group, PA.
- Gunster
- Linda C. Hanna, PA.
- Law Office of Han-Ralston, PLLC
- Happner Law
- Kenneth Harfenist, PA.
- Jennifer C. Harrington, PA.
- Harris, Hunt & Derr, PA.
- Law Office of Susan G. Haubenstock
- Hill Ward Henderson
- Law Offices of J. Fraser Himes, PA.
- Hobbs and Hobbs, PLLC
- Law Office of George Hunter, PA.
- Woodson Isom, Jr., PA.
- Cole Jeffries, PA.
- Joyce and Reyes Law Firm, P.A.
- Edwin B. Kagan, PA.
- Kirkner Family Law Group, P.A.
- Law Offices of Jonathan C. Koch
- Stephen A. Koch, PA.
- Kynes, Markman & Felman, PA.
- The Personal Injury Law Office of Chelsea M. Lamia, PA.
- The Larrinaga Law Group, P.A.
- Lauro Law Firm
- Leon & Berg, PA.
- Vincent A. Leto, PA.
- Mark A. Linsky, PA.
- James B. Loper, Attorney at Law
- Mark Shalon Professional Association
- Marlowe Mcnabb Machnik, PA.
- Maggard Law Firm, P.A.
- Mark E. Miller, PA.
- Helene Moffitt, PA.
- Denny Morganstein, PLLC
- The Law Office of John C. Munro, PA.
- Catherine G. Novick, Esq., Retired
- Angela S. Oehler, PA.
- Clifford R. Opp Jr., PA.
- Michael J. Palermo, PA.
- Probasco Law, P.A.
- John H. Raines, III, P.A.
- Rinaldo Law Group
- Rosman, Barrett, Hurt, Donahue, McClain & Mangan, PA.
- Kathryn L. Ritchie, PA.
- Rivero Law, PA.
- Roeke McLean Sbar Attorneys at Law
- Irene M. Rodriguez, PA.
- Rojas Law Group
- Rumberger, Kirk & Caldwell, PA.
- Joseph C. Russo, PA.
- Ryant, Alvarez, Jones, Russo & Guyton, PA.
- Charles F. Sansone, Attorney at Law
- Gordon J. Schiff, PA.
- Lansing S. Soren, PA.
- Sessions Black Caballero Ficarra BPA.
- Silberman Law, PA.
- Cary R. Singletary, PA.
- Sperry Law Firm
- Stichter Riedel Blain & Postier, PA.
- R. Jeffrey Stull, PA.
- Jeanne T. Tate, P.A.
- Tischhauser Law Group
- Thubor Law Firm, PA.
- Law Offices of Jack L. Townsend, Sr, PA.
- Law Office of Amanda M. Ullano, PA.
- Richard A. Venditti, PA.
- Rory B. Werner, PA.
- Wiercio Fenton Cabassa, PA.
- Law Office of Edward H. Ward
- Deborah Larued Werner, PA.
- The Law Office of James P. Westervelt
- Wiand Guerra King PA.
- Willis & McCugh, PA.
- Richard Benjamin Wilkes, PA.
- Winters & Yonker, PA.
- Tom Young, Mediator, Arbitrator, Special Magistrate
- Zecklerman Spader LLP

[To become an SLF, contact: 813.232.1222 ext. 156 or development@bals.org]

www.bals.org
HOW CAN WE MAKE THE CORPORATE COUNSEL SECTION STRONGER? GIVE US YOUR INPUT
Corporate Counsel Section
Chairs: Chris Casper - Caspers Company and Michael Stein - American Integrity Insurance Group

We are looking forward to a new year again chairing the HCBA’s Corporate Counsel Section. This year we are expanding our experts to bring in new members and volunteers to assist with our programming, while attempting to expand our reach. The Corporate Counsel Section of the HCBA is unique, in that it brings together not only attorneys who work in-house for various corporations in the Tampa Bay Area, but also invites the active participation of any other attorneys who work with corporate counsel in their practice and who may be involved in assisting companies with the issues their legal departments might be charged with handling.

The Corporate Counsel Section is also different from other Sections in that it caters to a diverse group of in-house attorneys, many of whom may not have ties to the Tampa Bay area or the Hillsborough County Bar Association, because they come from other areas of the country. As the Corporate Counsel Section seeks to expand its programming, involvement and reach both in our local Bar and in the greater community, we are looking for input on how this Section can better assist and benefit both the corporate community and the private practitioners who wish to become involved.

As the new Bar year kicks off, we will be providing a survey to our members to seek new ideas, and to find out what you think has worked and not worked in the past and to get a better idea of what you want from your Section. In addition to the survey, we encourage you to contact us with any ideas you have regarding both programming and getting the local corporate attorneys more active in the HCBA.

In addition to serving as a conduit for interaction between corporate attorneys, private practitioners, and the Bar, our Section encourages its members to do pro bono work. The corporate counsel section has had the privilege of being the sponsor of Tampa Bay Pro Bono Partners for several years. Tampa Bay Pro Bono Partners allows corporate attorneys who may not be an expert in a certain area or wish to get involved in legal work outside of their corporate environment to provide pro bono services to those in need. The Corporate Counsel Section hosts Tampa Bay Pro Bono Partners’ annual spring kickoff and encourages its members to select pro bono projects that interest them. To further the Corporate Counsel Section’s pro bono efforts, we are also looking for members who are interested in serving as a liaison on the HCBA’s pro bono committee, along with assisting in the planning of other pro bono events for the Section.

The Corporate Counsel Section is excited about the new Bar year and expanding its membership and programming to fit the unique needs of this Section. We encourage you to get involved and help us plan the new year. Please contact the committee chairs with any ideas — we are eager to hear from you.

Author: Michael B. Stein - American Integrity Insurance Group

Contact Michael Stein at mstein@aiicfl.com with your ideas.
We’re always here when you need us.

Marital & Family Law
Estate & Probate
Corporate & Tax
Business Litigation
Real Estate
Personal Injury

www.olalaw.com
813.254.8998
This has been an exciting year for Asian American attorneys. With the swearing-in of Grace Yang on July 5, she became the first Asian American president of the HCBA. On April 26, Denise Kim Beamer became one of the first Asian American judges in the Ninth Judicial Circuit. Moreover, there has been a marked increase of Asian American attorneys all over the country.

Equally exciting, on March 20, the Second District Court of Appeal of Florida held an investiture for Judge Andrea Teves Smith, the first Asian American judge on the Court of Appeal. I was honored to be invited to speak at her investiture, representing the Asian Pacific American Bar Association of Tampa Bay (APABA Tampa Bay).¹

Her personal achievements, of course, are a testament to her intellect, ability, and dedication. For Asian American attorneys — and there have not been many of us in Florida — she is truly a role model, inspiring all of us and those following behind us. Judge Smith’s leadership in organizing diversity training and activities for voluntary bar associations is particularly noteworthy. She was the judge-member of the Supreme Court Diversity Team for the Tenth Judicial Circuit and one of the most active and prolific Diversity Team judge members in the state!

To be sure, we have not been without trailblazers in our area. Former Judge Sonny Im was the first Asian American Judge in the Sixth Judicial Circuit. Judge Anuragg Singhal currently sits on the Seventeenth Judicial Circuit.

Most of us have immigrant ancestors who made their way into this great nation in search of opportunity, safety, freedom, and the American Dream. For some, that was a few generations ago. For others, we are the first. But regardless, APABA Tampa Bay hopes that our esteemed Florida judges keep their own ancestors in mind, remembering their ancestors’ struggles with learning English and in trying to become Americans in their newly adopted home. We also support the notion that our judiciary be made up of judges who directly reflect the makeup of the communities in which they serve, and with judges on the bench like Judge Smith, Florida is well on its way.

On behalf of APABA Tampa Bay, we want to thank all the attorneys and judges for their service to our profession and our community, and offer a special thank you to those who have been trailblazers within and for the Asian American legal community. We wish you the best.

¹ APABA Tampa Bay is a voluntary bar association that includes law students, judges, and of course, attorneys, of Asian descent and heritage, from all across Tampa Bay. We are an affiliate of the National Asian Pacific American Bar Association which represents the interests of almost 50,000 attorneys nationwide.

Author: Haksoo Stephen Lee - Lee Law Group, PLLC
THANK YOU!

The Hillsborough County Bar Association appreciates those attorneys who participate in our Lawyer Referral & Information Service.

Manuel Alvarez
Dale S. Appell
Martha Aristizabal
Christopher Arnold
Shamika Askew-Story
Nicki Fernandez Asmer
Debbie Baker
Thomas F. Baker
John Bales
David Befeler
Kyle Belz
Brett Berger
Michael C. Blickensderfer
Scott Bonavita
Alan Borden
Patrick Brannon
John Brewer
William Cantrell
Ryan Cappy
Melissa Champagne
Shannon Clancey-Kimball
Oliver Clark
Mia Cloud
Michael Connelly
David Constantino
Drew Daddono
Vivian Cortes Hodz
Joseph Gardner Dato
Erik De L’Etoile
Ricardo Duarte
Marc Edelman
Jose Estrada
James Fakhoury
Daniel Fernandez
Donna Ferrell
Christine Franco
Jeff Gano
Trescott Gear
Robert Geller
Daniel M. Genet
James Giardina
Richard Giglio
Michelle Garcia Gilbert

John Golding
Jeffrey Gordon
John Audley Grant Jr.
Raymond A. Haas
Jennifer Hamey
Lynn Hanshaw
Dane Heptner
Betsey T. Herd
Susanne Hernandez
John P. Holsonback
Mark Hughes
Klodian Hysenlika
Stephen James
Nehemiah Jefferson
Suzanna Johnson
Craig A. Jorgensen
Jacqueline L. Jorgensen
Matthew Jowanna
Domenick Lazzara
Haksoo Stephen Lee
Joseph Lee
Keith Ligori
Jamila Little
Peter N. Macaluso
Cyrus Malhotra
Ronald Marlowe
Anthony D. Martino
Leonard A. McCue
Bradley J. McDonald
Michael C. McGinn
Wendy K. McGinnis
Alex Mindrup
William H. McKnight
Kevin McLaughlin
Gian-Franco Melendez
Kari Metzger
Chioma Michel
Matthew Mincone
Matthew A. Mitchell
Dennis Michael Morgenstern
Sean Moyle
John L. Mulvihill
Luby Myrrthl

Fernando Narvaez
Fehintola “Kemi” Oguntebi
Frank Papa
Juan Garcia Pardo
Rinky S. Parwani
Mark Payne
Louis D. Putney
Patrick Quarles
John Redding
John Richert
Clara Rodriguez Rokusek
Michael Rossi
Lawrence Hanna Samaha
Adam Samole
Maria Schoeb
William Schwarz
Timothy Shanahan
Andrew Shein
Andrew Steingold
Keith Shevenell
Joe Southron
Ted Taylor
Beejal Thakore
John Thomas
Michael W. Thornton
Joseph J. Vecchioli
Daivd Vogel
Ruby Wake
Daniel Waldman
Foye Walker
Roland D. Waller
Robert Scott Walton
Michael Warren
Valentine Wheeler
Jason Whittemore
Benjamin Winter
Jared Wrage
Jason Zandecki
Christian Zeller
Brice Zoeecklein

The HCBA’s Lawyer Referral & Information Service is accredited by the American Bar Association. To join this program, call (813) 221-7780.
Voluntary Bar Leadership Conference

HCBA was proud to be host and a sponsor of the annual Voluntary Bar Leadership Conference, held in Tampa on July 12-13. Several of our members and our Executive Director John Kynes also participated in panels and spoke on various topics at the conference. Thanks again to HCBA Board member Vivian Cortes-Hodz who chaired the Conference, The Florida Bar staff and Conference Committee for coordinating this great conference, and to the members that attended and represented HCBA at the event.
Tampa Bay’s Forensic & Litigation Support Team

The premier source of forensic accounting and consulting services, providing clients throughout the state of Florida with expert witness, litigation support, and business valuation solutions to resolve litigation and disputes.

CBIZ

Forensic Accounting | Business Consulting | Business Valuations | Collaborative Divorce | Expert Witness Testimony | Family Law Litigation | Fraud Analysis | Litigation Support | White Collar Crimes

Your Team.

www.cbiz.com/tampa | 813.594.1400
The U.S. Supreme Court recently opened the door to Fifth Amendment takings claims based on state action. The Fifth Amendment Takings Clause states “private property [shall not] be taken for public use, without just compensation.” It is a protection our Drafters thought worthy of inclusion in the Bill of Rights, and which they made applicable to the States through the Fourteenth Amendment.1

When state action deprives a citizen of a Constitutional right, he or she may vindicate the claim under 42 U.S.C. § 1983. The Civil Rights Act of 1871 guarantees the federal forum. This is supposed to be true for any claim grounded in the Bill of Rights, including takings claims.

Yet, for the past 34 years, this hasn’t been the case. Since 1985, federal courthouses have been closed to takings litigants alleging Fifth Amendment violations premised upon state action. This result was the unintended consequence of two maligned United States Supreme Court cases.

The first, Williamson County Regional Planning Comm’n v. Hamilton Bank of Johnson City,2 established a rule that a landowner alleging a state (or local) taking first had to seek, and be denied, compensation through state procedures, typically by bringing an inverse condemnation claim under state law. The opinion left open the possibility that a claimant could reserve his federal (Fifth Amendment) claim, and after being denied compensation in state court, file a subsequent federal lawsuit. That theory was proven unworkable, however, after the Court’s subsequent decision in San Remo Hotel, L.P. v. City and County of San Francisco.3 There, the plaintiffs complied with Williamson County by filing an inverse condemnation action under state law, reserving in the complaint their federal claim. When they were denied compensation in state court, they proceeded to federal court, only to find their federal claim barred by preclusion under the full faith and credit statute, 28 U.S.C. § 1738.

Operation of these rules placed takings claimants in a Catch-22: One could not sue in federal court without first being denied compensation in state court — yet, the state court’s decision denying relief has preclusive effect on any subsequent federal claim. Constitutional scholars have criticized this “preclusion trap.”

Continued on page 33
**Knick Opens the Federal Court Doors to State Takings Litigants**

Eminent Domain Section

Continued from page 32

arguing, like Justice Rehnquist, that confining takings litigants to a state forum relegated the Fifth Amendment’s protections to the “status of a poor relation,”\(^1\) insofar as all other claims grounded in the Bill of Rights are actionable in federal court.

The federal court barrier was, however, finally lifted in June, when the Supreme Court issued its opinion in *Knick v. Township of Scott*.\(^5\) In *Knick*, the landowner alleged a local ordinance requiring her to keep her property open to the public violated the Fifth Amendment. Instead of seeking compensation under state inverse condemnation procedures, she filed for declaratory relief, asserting the ordinance constituted an unlawful taking. When that relief was denied, she then proceeded to federal court, seeking compensation.

She lost in both the federal district and circuit courts, based upon *Williamson County*. The Supreme Court then granted certiorari to revisit its rule. Writing for the Majority, Chief Justice Roberts acknowledged that a property owner has an actionable Fifth Amendment claim the moment the government takes property without paying for it, and that “exhaustion of state remedies” was not a prerequisite to relief under §1983. The Court found the *Williamson County* requirement “unworkable,” calling it “a rule in search of a justification for over 30 years.”

As a result of *Knick*, private property owners alleging deprivations by state or local action finally get their day in federal court, consistent with citizens asserting free speech, due process, unreasonable seizure, and other constitutional claims. The Court’s decision puts to rest any doubt that the Takings Clause is on equal footing with the other protections inherent in the Bill of Rights.

---

2. *473 U.S. 172 (1985).*
3. *545 U.S. 323 (2005).*
5. *139 S.Ct. 2162 (2019).*

Author: Ryan C. Reese - Moore
Bowman & Reese, P.A.
Installation of 2019-20 Officers & Directors

More than 200 members attended the annual installation ceremony at the Chester Ferguson Law Center on June 6, where incoming HCBA President Grace Yang and YLD President Jeff Wilcox took their oaths of office for the coming Bar year, along with the new officers and directors. (Read more about the installation and our new HCBA President Grace Yang on page 10.)

Congratulations also to Judges Valkenburg and Conrad, who were awarded the Red McEwen Award from outgoing President John Schifino, for their outstanding work on the annual Judicial Pro Bono 5K River Run.

The HCBA would like to thank The Bank of Tampa for sponsoring this great event!
Photography is courtesy of Thompson Brand Images. Thompson Brand Images is a benefit provider for the HCBA. www.thompsonbrandimages.com.
Cornhole for a Cause

The Young Lawyers Division held its annual fundraising event, Cornhole for a Cause, for Big Brothers and Sisters Tampa Bay on May 18 at Tampa Bay Club Sport–Rec Dec in St. Petersburg. This fundraiser helps at-risk children in the community. Thank you to the members that participated. A fun time was had by all!
Hold your next meeting at the
Chester H. Ferguson Law Center

The Chester H. Ferguson Law Center is an ideal location with a variety of rooms to meet your needs. Reserve for a day or for a few weeks.

Convenient to downtown Tampa, the Ferguson Law Center has many amenities:
- Six conference rooms of varying sizes
- Complimentary AV equipment and Wi-Fi
- Free, street-level parking

“Wonderful facility! Rave reviews when I survey my participants about the location. Plenty of free parking, beautiful spacious rooms with all amenities…”
— Janelle Walkley, The Settlement Center, CME/CLE Training Provider

Chester H. Ferguson Law Center
1610 N. Tampa Street, Tampa, FL 33602

Reserve your space today. Call (813) 221-7777 or email events@hillsbar.com.
HCBA & YLD Boards Plan for the Year Ahead

The Hillsborough County Bar Association Board of Directors and the Young Lawyers Division Board of Directors joined forces for a retreat on July 26-27 at the Westin Sarasota. Both boards discussed its plans and programs for the upcoming Bar year, and how to improve member engagement.
The board members would like to thank the retreat sponsors:
Major Sponsors: The Bank of Tampa and Anthem Reporting.
Contributing Sponsor: GrayRobinson

Leonard H. Gilbert
813.227.6481 | leonard.gilbert@hklaw.com
Experienced. Practical. Professional.
Certified Circuit Civil and Federal Court Mediator
Available throughout Florida
Holland & Knight
www.hklaw.com
Tampa, FL | 813-227-8500
Copyright © 2018 Holland & Knight LLP All Rights Reserved

Special HCBA Rate
Save 20% on your next stay at The Westin Sarasota as an active member of The Hillsborough County Bar Association.
To Book Your Stay, Contact Heather Spiegel at heather.spiegel@westinsarasota.com
941.217.4786

The Westin
Sarasota

Cannot be combined with other offers. Valid for stays until December 31, 2019. Must mention discount at time of booking. Twenty-Percent off of posted rate only.
In March 2019, the Social Security Administration (SSA) resumed mailing Educational Correspondence/Employer Correction Requests (known as “no-match” letters) to employers. No-match letters request corrected information to reconcile mismatches between certain employees’ names and Social Security numbers on their Forms W-2 and the SSA’s database. These letters provide employers with 60 days to submit corrections. The SSA previously sent such letters regularly, but it stopped in 2012. Per SSA statistics, 577,349 letters have been mailed in 2019, and the SSA plans to mail the remaining letters for tax year 2018 in the Fall of this year.

The SSA, admittedly, does not have enforcement authority against employers for a failure to respond, and a mismatch is not necessarily an indication of an employee’s lack of work authorization. Yet, no-match letters, if left unaddressed by the employer, can potentially result in a finding of workforce compliance violations under the Immigration Reform and Control Act of 1986 (IRCA). The receipt of a no-match letter raises questions related to the identity and work authorization of affected employees. If such workers are indeed not work-authorized, the employer can be found liable under IRCA for knowingly hiring or continuing to employ an individual who is not authorized to work in the United States.

IRCA liability applies to actual and constructive knowledge. For example, when an employer receives information indicating that an employee is potentially not work-authorized but fails to take reasonable steps to investigate, it can be deemed to have constructive knowledge. Therefore, employers should take reasonable steps with respect to no-match letters, such as checking internal records for clerical errors and, if necessary, requesting the cooperation of affected workers in resolving the mismatch. Immigration and Form I-9 considerations can be implicated if an employee admits to using a false identity and provides new documentation, if the employee admits to being unauthorized to work, or if the employee cannot resolve the mismatch after being provided with a reasonable amount of time.

No-match letters can be relevant in the event of an I-9 Form inspection by the U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI). During the I-9 inspection process, HSI often demands copies of no-match letters received in the past in order to establish the employer’s constructive knowledge of an employee or contractor’s undocumented status. In recent years, HSI has stepped up its enforcement of IRCA provisions through the I-9 inspection process. According to ICE, from July 16 to 20, 2018, the agency served 2,738 Notices of Inspection and made 32 arrests. From January 29 to March 30, 2018, it served 2,540 Notices of Inspection and made 61 arrests. In fiscal year 2017, employers were ordered to pay $97.6 million in judicial forfeitures, fines and restitution, and $7.8 million in civil fines for IRCA violations.

With so much at stake, attorneys advising employers on no-match letters should be mindful of any related immigration considerations.

Author: Yova A. Borovska - Buchanan, Ingersoll & Rooney PC
The Bank of Tampa
Free Minaret Diamond Relationship Account

HCBA members qualify for a free Minaret Diamond account with The Bank of Tampa, with no minimum balance or monthly service fee. Benefits include checking accounts; free checks; no foreign ATM fees; refund of surcharge fees charged by other bank ATMs of up to $25 per month; no surcharge fees at any Publix Presto! ATM; and Personal Online Banking and Mobile Banking with free CheckFree WebPay.

Contact Erin Hesbeens at (813) 872-1228, or call (813) 872-1200.

Ferman Automotive: Special HCBA Savings with Our Corporate Sales Partnership Program

Ferman Automotive has partnered with HCBA to offer their members participation in the Ferman Corporate Sales Partnership Program. HCBA members have access to special incentives for the purchase of a company-owned vehicle or a personal use vehicle from Ferman Automotive. In addition to special savings, Corporate Sales Partners enjoy premium offerings like the Ferman Preferred Concierge.

To learn more about the Corporate Sales program, please contact Stacey Musser at stacey.musser@ferman.com or 813-625-0220/833-224-7995.

Florida Lawyers Mutual Insurance Company
10% Premium Reduction

Florida Lawyers Mutual Insurance Company (FLMIC) was created by The Florida Bar. HCBA members who are board-certified can receive a 10% reduction in insurance premiums from FLMIC.

For more information, please call (800) 633-6458 or email mailbox@flmic.com.

LawPay
3-Month Free Trial

Part of building a successful practice is finding the right payment partner. It’s important to work with a processor that understand the complexities and rules surrounding legal payments. LawPay ensures you stay ABA and IOLTA compliant for both credit card and eCheck transactions. Plus, they’re a proud member benefit of the Hillsborough Bar Association and trusted by more than 44,000 firms. Experience the difference yourself! Sign up for a new LawPay account in September and pay no monthly fee for 6 months.

Call 866-384-1299 or visit lawpay.com/hillsbar to get started.

LexisNexis: 30% Discount on Products

LexisNexis offers HCBA members a 30% discount on all books and online legal research packages.

For more information on this member discount, please contact Mark Crockett at 813-390-7304 or mark.crockett@lexisnexis.com.

LawPay
3-Month Free Trial

Part of building a successful practice is finding the right payment partner. It’s important to work with a processor that understand the complexities and rules surrounding legal payments. LawPay ensures you stay ABA and IOLTA compliant for both credit card and eCheck transactions. Plus, they’re a proud member benefit of the Hillsborough Bar Association and trusted by more than 44,000 firms. Experience the difference yourself! Sign up for a new LawPay account in September and pay no monthly fee for 6 months.

Call 866-384-1299 or visit lawpay.com/hillsbar to get started.

LexisNexis: 30% Discount on Products

LexisNexis offers HCBA members a 30% discount on all books and online legal research packages.

For more information on this member discount, please contact Mark Crockett at 813-390-7304 or mark.crockett@lexisnexis.com.

LexisNexis: 30% Discount on Products

LexisNexis offers HCBA members a 30% discount on all books and online legal research packages.

For more information on this member discount, please contact Mark Crockett at 813-390-7304 or mark.crockett@lexisnexis.com.

LexisNexis: 30% Discount on Products

LexisNexis offers HCBA members a 30% discount on all books and online legal research packages.

For more information on this member discount, please contact Mark Crockett at 813-390-7304 or mark.crockett@lexisnexis.com.
Photography
For Marketing, Advertising and Websites

Did you Know?
During our 11 years supporting the HCBA, we have photographed:
500+ HCBA Directory Head Shots
40 Membership Luncheons
60+ HCBA Events
10 Law & Liberty Galas

My name is Bob Thompson and I’d love to be YOUR photographer.

Drone and Video Services Now Available!

New website! www.ThompsonBrandImages.com
Call: 813.994.2000 Email: bob@ThompsonBrandImages.com
In a unanimous June 3, 2019 ruling, the United States Supreme Court limited employers’ ability to have job discrimination claims dismissed when employees procedurally fail to file a Charge of Discrimination with the Equal Employment Opportunity Commission (EEOC) or similar state agency.¹

The lawsuit — Fort Bend County, Texas v. Davis — arose when Fort Bend County employee Lois Davis complained she was sexually harassed by a supervisor, who subsequently resigned. In her EEOC charge, Davis alleged she was retaliated against by another supervisor for reporting the harassment. While her EEOC retaliation charge was pending, the supervisor required her to come to work on Sunday, and when Davis failed to show because of a prior church commitment, she was terminated.

Notably, Davis never amended her EEOC charge to include a charge of religious discrimination. Instead, Davis attempted to supplement her EEOC charge by handwriting “religion” on an intake questionnaire form. After receiving the right-to-sue letter, Davis filed suit, alleging religious-based discrimination and retaliation for reporting sexual harassment. The federal District Court granted the County’s Motion for Summary Judgment, but on appeal, the United States Court of Appeals for the Fifth Circuit reversed the dismissal of Davis’ religious discrimination claim and sent the case back to the District Court.

Years later in the litigation, for the first time, the County asserted that dismissal of Davis’s religious discrimination claim was proper because the District Court did not have jurisdiction as Davis’s religious discrimination claim had not been asserted in her EEOC charge. The District Court agreed and dismissed the case. The Fifth Circuit reversed the District Court’s ruling, holding that Title VII’s charge-filing requirement is not jurisdictional and that the County had waived the procedural defense by waiting too long to assert it. This prompted the County to seek Supreme Court review.

In its ruling, the Supreme Court held that Title VII’s charge-filing instruction is not jurisdictional, a term generally reserved to describe the classes of cases a court may entertain (subject-matter jurisdiction) or the persons over whom a court may exercise adjudicatory (personal jurisdiction).”¹

Ultimately, the Supreme Court’s ruling does not deprive employers from continuing to move to dismiss such claims because an employee has failed to timely file a charge. But as noted in the opinion, it serves as a warning for employers not to delay in promptly asserting such a defense. As the Supreme Court stated, “Defendants, after all, have good reason promptly to raise an objection that may rid them of the lawsuit filed against them. A Title VII complainant would be foolhardy consciously to take the risk that the employer would forgo a potentially dispositive defense.”

¹ Fort Bend County, Texas v. Davis, ___ U.S. ___, 139 S. Ct. 1843 (2019).

Author: Elysse V. Gorney - Phelps Dunbar LLP

The Supreme Court’s ruling serves as a warning for employers not to delay in promptly asserting such a defense.
I would like to welcome all of my colleagues to a new year with the HCBA. I am very excited to lead the Marital and Family Law Section this year.

Before I discuss our Section’s goals for the year, I would like to introduce myself. I am a partner at Harris, Hunt & Derr, P.A. and I am board certified in marital and family law. I began practicing family law in the Tampa Bay area over nine years ago, and I quickly found family law to be a challenging but fulfilling area of practice. Upon beginning my family law career in Tampa, I also learned that the HCBA’s Marital & Family Law Section is one of the most important resources to both new and established family law attorneys in Hillsborough County. We are truly lucky to have one of the most supportive and collegial family law bars in the state, and the HCBA Marital and Family Law Section plays a large role in sustaining the “family” feel of our local family law community.

Now turning to the Marital and Family Law Section’s plan for the year, we are preparing for another fun year filled with engaging presentations, great social and networking opportunities, and pro bono efforts.

There will be interesting and informative presentations at our four one-hour luncheons, as well as a two-hour CLE and a four-hour CLE on substantive family law topics. We are already hard at work developing timely and engaging presentations for this year. Also stay tuned for more informative articles here in the HCBA Lawyer magazine.

We will have an active social calendar this year, with happy hours and our annual Christmas party. We will also host our popular annual judicial appreciation luncheon in the spring where we recognize the important contributions of our family judges, judicial assistants, and bailiffs. In addition, we will host our annual luncheon between the judicial assistants and family lawyers’ paralegals and legal assistants, where they can get to know each other and ask each other questions to help develop better working relationships.

Through these events, we continue to keep the relationship between our bench and our Bar strong.

This year, the Section will also host our Fifth Annual Pro Bono Family Law Clinic at the Hillsborough County George E. Edgecomb Courthouse, where we invite pro se family law litigants to meet with attorneys for one-on-one advice about their cases and family law in general. In years past, this Pro Bono Family Law Clinic has provided countless hours of free legal advice to parties who may not otherwise have the ability to retain an attorney.

Our most important goal this year is getting you engaged and involved in our Section’s events. After all, it is your membership and involvement that makes our Section so extraordinary. All of our exciting events this year would not be complete without your participation. We invite you to join us!

Author: Katherine C. Scott - Harris, Hunt & Derr, P.A.

Interested in writing an article for the Lawyer magazine? Contact Stacy Williams at stacy@hillsbar.com for more information.
YLD Members Recognized at Florida Bar Conference

Four members of our HCBA Young Lawyers Division were recognized for their hard work and dedication at The Florida Bar Conference in June. Joseline J. Hardrick received The Florida Bar YLD’s Diversity Award for her efforts to mentor and support minority law students as the founder and director of Diversity Access Pipeline.

Traci Koster, our YLD President-Elect, also received the 2019 Lynn Futch Most Productive Young Lawyer Award from The Florida Bar Young Lawyers Division. Additionally, Alexandra Palermo, one of our HCBA YLD Board members, received the 2019 Kathy Bishop Most Distinguished Board Member Award from The Florida Bar YLD.

In addition, Anthony Palermo earned the YLD President’s Award for the second year in a row for his work with the American Bar Association and Florida Bar Hurricane Relief hotline.

We are lucky to have such active and dedicated members in our YLD. Congratulations!

Are you Short on CLE Credits?

New this year!

You can now order a selection of more than 60 previous CLEs in mp3 downloadable format from HCBA!

Download the file and listen at your convenience in the comfort of your office or home.

CLEs on CD also are still available for order if you prefer that format.


DIVORCE MEDIATION with Stann Givens, Esq.

A certified family law mediator since 1991, Stann Givens is dedicated to helping divorcing clients reach a resolution of their differences amicably and without leaving the future of their family in the balance.

Schedule a mediation at:
www.stanngivens.com
or call 813-251-6700

Hourly rate adjustable based upon the financial abilities of the parties.
No travel cost.
Board Certified in Marital and Family Law.
Former President of the American Academy of Matrimonial Lawyers, Florida Chapter.
Welcome from MVAC’s New Chairs
Military & Veterans Affairs Committee

We are both honored and excited to serve as MVAC’s new co-chairs and look forward to serving our members and the community this Bar year. We would like to introduce ourselves, and tell you a little about our backgrounds and why the MVAC Committee is important to us:

Steve Berlin:
I am a retired Army lieutenant colonel who began my career as a Field Artillery officer and retired as an Army Judge Advocate (JAG). As a JAG, I served half my time as a command legal advisor and the other half as a criminal prosecutor, culminating in serving as one of the Army’s first Special Victim Prosecutors. I spent most of my twenty-year career in Germany; Fort Knox, Kentucky; and Fort Bragg, North Carolina, rounding out my career serving my final three years at MacDill Air Force Base.

I grew up in St. Petersburg, so my final duty station at MacDill AFB was an appropriate transition point for me. I am fortunate to have received advice from a mentor who recommended that I join the HCBA and specifically the then-recently revitalized MVAC. At my first meeting, I met then-co-chair Matthew Hall, which built our friendship and began a three-year transition helping me translate my military experience to the civil community. I also received great mentorship and support from other MVAC members and as a member of the Bar Leadership Institute Class of 2017.

The support from the HCBA and my own experiences have laid the foundation for my goals to help other military members transition into civil practice and to help fellow veterans support one another in the legal community. I believe in doing so, I can, in turn, help military and veterans in the community with their specific legal needs.

Sonya Colon:
I have been practicing law since May 2007, opening my own firm in 2008 and have been a solo practitioner since then. Primarily, I handle family law cases, and have a small practice in bankruptcy, probate and personal injury. Prior to becoming an attorney, I received my bachelor’s degree in legal assistant studies from New York City Technical College. However, unlike most students, by the time I started my undergraduate degree, I was already a mother to Jessica Colon (now 25 years old and a mother to my two-year-old grandson, Ezra). And by the time I started Seattle University School of Law, I had my second daughter, Gabriella Colon (now 19).

I consider myself fortunate to have married my high school sweetheart, who was active-duty Army until his retirement in 2017. My husband had five deployments to Iraq and Afghanistan, and I was proud to be a military spouse for 25 years. As a result, I am very committed to supporting those who have served.

I hope for a great year with MVAC and look forward to working with all the members and with other partner organizations to connect our veterans with quality legal services, as well as provide our legal community with some understanding of the challenges that our veterans face.

In closing, if we can be of any assistance to you or you have any ideas or suggestions for this upcoming year, please feel free to contact us. We look forward to seeing everyone at the Committee meetings — the first one of the Bar year is currently scheduled for September 11.

ABOTA Seminar

On June 7, the American Board of Trial Advocates (ABOTA), Tampa Bay Chapter, joined with the HCBA, the Thirteenth Judicial Circuit Professionalism Committee, and the Sixth Circuit Professionalism Committee to host its annual half-day CLE seminar. Held at the Stetson University College of Law and the Chester H. Ferguson Law Center, the seminar focused on the topic of “Practicing with Ethics, Civility, and Professionalism.” Pulitzer Prize-winning Author Gilbert King delivered the keynote, speaking on the recent pardon of the Groveland Four, about whom he wrote his famous book *Devil in the Grove*. Additional seminar speakers included Professor Jan Jacobowitz, Professor Lawrence Krieger, Theresa Reveil, Scott Tozian, Donald A. Smith, Jr., Denis deVlaming, and the Judges from Florida’s Thirteenth and Sixth Judicial Circuits with HCBA Past President Kevin McLaughlin moderating.
Welcome to another year for the Solo & Small Firm Section of the HCBA! I am honored to continue to serve as your co-chair, along with Matthew Crist. We are excited about the coming year and the opportunity to grow the Section, continue providing great educational opportunities, organize some networking events, and create opportunities and build relationships for our members to help them grow their practices.

Most of the members in our Section are essentially both lawyers and small business owners. Whereas most attorneys can simply be just that, an attorney, our members have to wear many hats. While all law schools do their best to teach us to be lawyers, few teach us to manage a small business. To survive, we must be good lawyers. To succeed, however, we need to work extra hard at something that many of us have limited or no training on — running a small business. Our law firms will not grow if we simply focus on working our cases, and don’t give being business owners enough attention.

That being said, we have to be smart about how we grow our practice. Many solo and small firms fail or burn out because they grow too big too fast. We all chose this path for various reasons. We need to make sure that our law firms fit our lives, and not the other way around. We need to learn how much and what we need to handle ourselves, and what we should delegate to employees or, even better, the right software. It is also important to keep overhead as low as possible, and for as long as possible. Thanks to technology and the age we live in, there are many different programs and companies that make things much more streamlined and cost-efficient. Utilizing the right case management systems, bookkeeping software, virtual paralegals, answering services, and countless other technologies, can set us up for success.

Another asset we have is being a member of the Solo & Small Firm Section. Our goal this year is to provide all our members with the resources they need to make sure their firms end the year better than they started it. We will have several meetings this year, including informative CLE presentations, networking meetings, and practical practice-building sessions. Please join us for these meetings, which are great opportunities to talk to fellow lawyers and members of our section and grow your firm. Whether you are a current solo or small firm practitioner, or are thinking about taking your career in that direction, we hope you will join us this year.

Matt and I look forward to working with you to grow and strengthen our businesses and the Solo & Small Firm Section.

Author: Gian-Franco Melendez, Law Office of Gian-Franco Melendez, LLC
WELCOME NEW HCBA MEMBERS
JUNE/JULY 2019

Dalton Riley Allen
Leonardo Arias Vera
Lucero Ayala
Cristina J. Ayo
Christopher M. Ballard
Michael Joseph Bayern
Natalie M. Berezin
Dara Michelle Bernstein
Blake Daniel Bernstein
Anita Bittner
Anne Deal Boyle
Paydon R. Broeder
Crystal Bucciarelli
Lilibeth Lorena Cain
Carmen Cato
Natalie Adams Cavallaro
Kaylee M. Chabarek
Kristina Lynn Cucinotta
Timothy Delaney
Alexis Dion Deveaux
Robyn Dillon
Shaina M. Druker
Kaitlyn Marie Dugas
Francine Dupuis
David J. Ellis
Kristin W. Elza
Caroline C. Engle
Vincent A. Fernandez
Travis Jack Foels
Bret L. Freeman
Mindi B. Friedman
Mariana L. Gallastegui
Miles C. Gardner
R. Stanley Gipe
Nicholas J. Glance
Andrew G. Goot
Jay C. Hamilton
William Charles Handle
Jordan Harirchi
Jeffry A. Harrison, Sr.
Jesse A. Haskins
Arielle R. Heinke
Aaron M. Henry
Veronica Hickey
Christopher L. Hill
Jason R. Hull
Ryan S. Hutson
Kurtis Hutson
Jacob Inkelaar
Raeseen Candice Kennedy
Lauren A. Kilgore
Vonya Z. Lance
Aaryn Fink Ledoux
Derek R. Lenz
Justin K. Lopez
Kody S. Luczak
Cyrus Malhotra
Eli Morris Marger
Brandon Marquez
Benjamin Francis McMahan
Travis J. Mehler
Elsa Enid Melendez
Richard F. Meyers
Amanda L. Mezer
Mindy Lynn Miller
Lindsay A. Moczynski
Keenan Molaskey
Eric P. Nelsestuen
Daniel A. Nicholas
Shaheen Nouri
Joseph Patrick O’Brien
Richard Osborne
Kelly Ayers Overfield
Katharine Paine
David A. Papa
Anna K. Pardun
Kathleen Phillips
Joseph Ronald Pliego II
Andrew W. Powell
Teresa O. Prescott
Sarah E. Pritchard
Amy E. Ray
Richard Rodriguez
Evan D. Rosen
Timothy Arthur Rowe
Arthur D. Rubin
Simone L. Savino
Laura C. Segura
Natalia Silver
Thomas John Sisco
Andrew P. Stanco
John Coy Stull
Marina Taylor
Matthew D. Tolnay
Adam M. Topel
Donisha A. Weightman
Daniel J. White
Rachel Wise
Camila Yori
Thanks to All our FOX 13 Ask-a-Lawyer Volunteers!

The attorneys from the Lawyer Referral & Information Service were on the job once again in June and July, answering phones as part of Fox 13’s Ask-A-Lawyer program. We appreciate all those who volunteered to take calls and help out local residents.

September 7, 2019
Diversity & Inclusion Networking Social, Chester Ferguson Law Center

September 11, 2019
Welcome Back Membership Reception, The Vault

October 3, 2019
23rd Annual Bench Bar Conference, Hilton Tampa Downtown

October 11, 2019
YLD Annual Golf Tournament, Temple Terrace Golf & Country Club

December 5, 2019
Holiday Open House, Chester Ferguson Law Center

January 8, 2020
Diversity Membership Luncheon, Hilton Tampa Downtown

February 29, 2020
Pig Roast/5K Pro Bono River Run, Stetson University College of Law, Tampa Campus

Learn more about HCBA events at www.hillsbar.com.
STAY CONNECTED
MORGAN MORGAN
BUSINESS TRIAL GROUP
Contingency-Fee Litigation

GET PAID FOR YOUR
BUSINESS
LITIGATION
REFERRALS

Not all skilled business litigators charge clients by the hour. Our experienced business trial attorneys work exclusively on a contingency-fee basis. And when we get a recovery for your client, you will receive a referral fee.

RECENT RESULTS

$9 Million recovery for professional malpractice and securities claims.

$14.5 Million jury verdict in a shareholder dispute.

$10+ Million recoveries for construction defect cases.

Contract Litigation | Construction Litigation | Accountant and Legal Malpractice | Employment Disputes | Intellectual Property
Investment Losses & Fraud | Real Estate Litigation | Shareholder & Partnership Litigation | Trust & Estate Litigation

Call us to discuss your client’s case 800-816-1031
www.BusinessTrialGroup.com
State Court Trial Seminar

The Young Lawyers Division hosted its annual State Court Trial Seminar on June 14 at the George E. Edgecomb Courthouse. The four-hour seminar included seasoned trial lawyers J. Daniel Clark, David Banker, Jason Whittemore, Hon. Jessica Costello, John Schifino, Thomas Masterson, Mark McLaughlin and Dale Swope. The Judicial Panel featured Hon. Alissa Ellison, Hon. Gregory Holder, Hon. Robin Fuson, and Hon. Barbara Twine Thomas, with Melissa Foss and Avila Zepp moderating. At the end of the Seminar, the YLD hosted an end-of-year happy hour at GenX Tavern.

Thank you to the speakers and the attendees!

Thank you also to the event’s sponsor:
Milestone Reporting

Community Services Committee Hosts Another Successful Pirate’s Plunder Party

The Community Services Committee held its sixth annual Pirate’s Plunder Party on May 18 for the children at A Kid’s Place foster home. The Committee members and volunteers brought games, sweets, lunch, pirate garb, a bounce house, photo booth, candy machine and much more. Thank you to members of the Community Services Committee, the many volunteers, law firms, and local businesses that helped make such a great day for the children at A Kid’s Place.
Greetings and welcome back for the 2019-2020 Bar year! Our Section’s leadership is working hard to deliver another year of great programming and we encourage you to become involved this year. One of our goals is to foster professionalism by encouraging personal relationships among the trial bar, and we need your participation to achieve that goal. Whether you are a civil trial lawyer, a criminal trial lawyer, or a litigator who spends most of your time in the office, you have a place in our section and we hope you will attend our luncheons and events.

As chair for the upcoming year, I would especially like to thank Katherine Yanes for her leadership over the past year and for her ongoing support. Our Section greatly benefitted from her able guidance and I am personally grateful for the assistance she has selflessly provided. When you see her, please remember to thank her for a great year.

I would also like to commend the excellent work of our entire board. It seems that each year we improve our offerings and engagement, and that is thanks largely to the behind-the-scenes efforts of the board. I would like to recognize our incoming officers and directors for this year, Chair-Elect Erin Jackson, Treasurer Chad Moore, Secretary Kristin Norse, Brandon Faulkner, Jaret Fuente, Jenay Iurato, Ed Kuchinski, Caroline Johnson Levine, Anthony D. Martino, Brian McEllistrick, Kevin Napper, John Schifino, Marc Semago, Jason Whittmore, and our judicial advisors, Judge Michael Williams and Judge Jessica Goodwin Costello. Please reach out to one of our directors if you would like to become more involved in our Section programs and leadership.

As we have for many years, we will continue to invest our resources to sponsor the Bench Bar Conference as well as local legal non-profits like Crossroads for Kids. We produce a unique CLE program every spring that is focused on trial advocacy skills that has become quite popular over the past few years, and we continue to look for additional ways to provide value to our members and encourage pro bono work and community involvement.

Please take a moment to calendar the dates for our quarterly Section luncheons and CLEs this year, all of which will be held at the Chester Ferguson Law Center:

- October 16, 2019
  Luncheon, 12-1 pm
- January 29, 2020
  Luncheon, 12-1pm
- March 11, 2020
  Luncheon & CLE, 12-3pm
- May 20, 2020
  Awards Luncheon, 12-1pm

We also encourage you to calendar and attend the Bench Bar Conference, which will be Thursday, October 3, 2019. The conference is an opportunity for an open dialogue between the judiciary and the trial bar and is a favorite of our membership. It always sells out early for good reason, so be sure to reserve your spot today.

I would also like to mention our Section awards from May 2019 (photos from this event on next page). We were humbled to present the awards to an impressive group of recipients at what is always our most popular event of the year. If you have not attended before, please calendar the date next year and do not miss out again.

We look forward to seeing you at our events.

Author: Morgan W. Streetman - Streetman Law

Don’t miss our next luncheon on October 16, 2019.
Trial & Litigation Section Annual Awards

The HCBA Trial & Litigation Section presented its annual awards on May 29 at a luncheon at the Chester H. Ferguson Law Center. The recipients recognized with this year's awards were:

- Herbert G. Goldberg Award - Steven Yerrid of the Yerrid Law Firm
- James Kynes “In the Trenches” Award - Lily McCarty Gonzalez & Maria Pavlidis of MGPW Law, LLC
- Michael Fogarty “In the Trenches” Award - Timon Sullivan of Ogden & Sullivan, P.A.
- Court Family Award - Deputies Dwight Edwards, Jeffrey James, Cindy Rodriguez, and Mike Duffy of the Thirteenth Judicial Circuit Court
- Student Essay Contest Scholarship Recipient - Janita Melendez of WMU Cooley Law School

Congratulations to the winners for their hard work and dedication to the community and the legal industry!

Thank you to the luncheon’s sponsor, TCS.
OBSESSION!
The evidence for affordable group coverage is clear


Try National General Benefits Solutions

Enjoy the cost savings of level-funding, without taking on added risk, with National General Benefits Solutions. Our program gives your employees access to broad, national networks — like the Aetna® Signature Administrators PPO Network and the Cigna PPO Network — while providing quality health benefits to all of your group’s members.

Why a level-funded program?

☑ Customizable plan designs making it easy for you to find the right fit for your group

☑ Receive money back in years when claims are lower than expected

☑ An experienced team is always ready to provide expertise before, during and after you’ve chosen your plan

Start saving now!
Call today.

Tracy Riggs
@ 813-251-2580
triggs@sheabarclay.com

Save up to 30%*

with National General Benefits Solutions

* Savings example is for an employer group in Alabama with 3 eligible employees. The benefit plan is established by the employer and is not an insurance product. Step-less insurance for National General Benefits Solutions is underwritten by National Health Insurance Company, Integon National Insurance Company, and Integon Indemnity Corporation. NGBS-FULLPAGEAD-HILLSBOROUGH (03/2019) © 2019 National Health Insurance Company. All rights reserved.
Achieve Mediation Success with a Subject Matter Expert.

Dr. Douglas Weiland holds a rare combination of expertise in both Law and Medicine. With insights in emergency medicine, orthopedic surgery, general surgery, medical procedures, pharmaceuticals and anesthesia, he is able to apply subject matter expertise to mediate cases for:

- Personal Injury
- Workers Compensation
- Hospital & Nursing Home Litigation
- Professional Negligence
- Medical Malpractice
- Delayed Treatment
- Disability
- Wrongful Death
- Failure to Diagnose

Dr. Douglas Weiland, MD/JD
Florida Supreme Court Certified Mediator

DISPUTE ALTERNATIVES, LLC
Serving the Gulf Coast & Central Florida Area

(813) 633-4283 or call (813) MED-IATE | dweiland@disputealternatives.com | www.disputealternatives.com

This is all you’ll need
The services your law firm needs, all in one place, all in one house.

THE CENTERS

- Special needs Trust Services
- Lien Resolution
- Medical Record Services
- Medicare Set-Aside Services
- Settlement Optimization

4912 Creekside Drive
Clearwater, Florida 33760
(877) 766-5331
www.centersweb.com
Hillsborough County Bar Association 100 Club

Law firms with 100% membership in the HCBA

13th Judicial Circuit Court
2nd District Court of Appeal
Adams & Reese LLP
Allen Dell
Alley Clark & Greive
Anna Assuncao, P.A.
Anthony J. LaSpada P.A.
Anthony & Partners, LLC
Appleton, Reiss & Skorewicz, PLLC
Austin Roe Basquill, P.A.
Baird Law Group
Bajo | Cuva | Cohen | Turkel, P.A.
Barbas, Nuñez, Sanders, Butler & Hovsepian
Barker & Cook, P.A.
Barnett Bolt Kirkwood Long Koche & Foster
BaumannKangs Estate Law
Bay Area Legal Services Plant City
Bivins & Hemenway, P.A.
Bay Area Legal Services Plant City
Bivins & Hemenway, P.A.
Brandon Family Law Center, LLC
Brandon Legal Group, P.A.
Brandon Family Law Center, LLC
Branmock & Humphries, PA
Brennan, Holden & Kavoukis, P.A., Attorneys at Law
Bricklemeyer Law Group
Broad and Cassel
Buell & Elliott, P.A.
Burr & Forman
Bush Ross
Butler Wehmuller Katz Craig LLP
Carey, O'Malley, Whitaker, Mueller, Roberts & Smith, P.A.
Carlton Fields, P.A.
Camman & Bevington, P.A.
Cheeseeman & Phillips, P.A.
Clark & Martino, P.A.
Clerk of the Circuit Court’s Office
Cole, Scott & Kissane, PLLC
Cortes Holz Family Law and Mediation, P.A.
Culpepper Kurland
Danathy & Murray, P.A.
Dandar & Dandar
de la Parte & Gilbert, P.A.
Doggal Law Group, P.A.
Donica Law Firm, P.A.
DPW Legal
Felix, Felix & Baseman
Fernandez & Hernandez, LLC
Fletcher & Fischer P.L.
Florida Law Group, LLC
Fraser Himes, P.A.
Freeborn & Peters LLP
Friso & Ross P.A.
Fuentes & Kreischer, P.A.
Fulgencio Law
Galloway, Johnson, Tompkins, Burr and Smith
Gardner Brewer Martinez-Monfort, P.A.
Gayford Merlin Ludovici & Diaz
Genders-Alvarez-Decidue, P.A.
Gibbs & Parmell, P.A.
Givens Givens Sparks, PLLC
Glausier Knight Jones, PLLC
Gomez & Touger, P.A.
Gordon J. Schiff, P.A.
Goudie & Kohn
Gramling Environmental Law, P.A.
GrayRobinson, P.A.
Greco & Wozniak, P.A.
Greenberg Traurig
Gun Law Group
Gunster
Harmon Parker, P.A.
Harri, Hunt & Derr, P.A.
Harvey Schorbrun, P.A.
Harly High, P.A.
Hillsborough County Attorney’s Office
Hillsborough County Aviation Authority
Legal Affairs Department
Hill Ward Henderson
Holcomb & Leung, P.L.
Hunter Law, P.A.
Jackson Lewis P.C.
James P. Knox, PLLC
Jeffrey C. Shannon, PA
Johnson, Cassady, Newton & DeCort, P.A.
Johnson Jackson LLC
Jorgensen Law Group, LLC
Joyce & Reyes Law Firm
Judd Bean Law
Keys & Coakley, P.L.
Kynes Markman & Felman, P.A.
Langford & Myers, P.A.
Larson Johnson, P.L.
Lauro Law Firm
Law Offices of Andrew Shein
Law Office of Christopher T. Abrunzo, PLLC
Law Offices of Jeanne T. Tate, PA
Law Office of Michael J. Wilner, P.A.
Law Office of Robert M. Geller
Law Offices of Jonathan C. Koch
Law Offices of J. Kevin Carey, P.A.
Lawrence E. Miccolis, PA
Leo D. Gomez, P.A.
Leon & Berg, P.A.
Leslie Rezin Stein P.L.
Lieser Skaff Alexander, PLLC
Lins Law Group, PA
Maney, Damsker, Jones & Kuhlman, P.A.
Manson Wolfe Donaldson Van, P.A.
Marlowe McNabb, P.A.
Mcbtyer, Panarella, Tharasides, P.A.
Mechanik Nuccio Earne & Wester, P.A.
Michael O. Fluke, P.A.
Michael P. Maddux, P.A.
Mickey Keenan, PA
Mills Faskart Divers
Morgenstem & Herd, P.A.
Morris Law Firm
Nader Mediation Services
Nancy Jacobs, Esq., LLC
Patsko Law Group PLLC
Petitt Wolfe Craine Worrall LLC
Port Tampa Bay
Ramirez Law Firm
Rechel & Associates, P.A.
Richard A. Harrison, P.A.
Rhett & Ritchie, P.A.
Rocke, McLean, & Sbar, P.A.
Rotella Legal Group, P.A.
Rumberger, Kirk & Caldwell, P.A.
Saxon, Gilmore & Carraway, P.A.
Scarratt Law Group, P.A.
Schopp Law Firm
Scott A. Haas, P.A.
Sessions Fishman Nathan & Israel, LLP
Sessums Black Caballero Garbarotta
Sessums Law Group, P.A.
Seth Nelson, P.A.
Shawn Harrison Associates, PLLC
Silver & Agacinski
Sisco Law
Spector Gadon & Rosen
Stichter, Rieder, Blain & Postler, P.A.
Stolberg & Townsend, P.A.
Stoler Russell Keefer Verona P.A.
Stuart & Strickland, P.A.
Tampa City Attorney’s Office
Terrana Perez & Salgado, PA
The Bleakley Bavo Law Firm
The Fernandez Firm
The Law Offices of Ryan Cappy
The Law Offices of Ryan Cappy
The Plante Law Group, PLC
The Women's Law Group, P.L.
The Yerrid Law Firm, P.A.
Thomas & LoCicero PL
Thompson Legal Center LLC
Timothy G. Anderson, P.A.
Trentalange & Kelley, P.A.
Trombly & Hanes, P.A.
Valkenburg Law Group
Vecchio, Carrier, Feldman & Johanness, P.A.
Vagner McLaughlin
Walk Law Firm, P.A.
Walters Levine & Lozano
Warren Law Firm, PLLC
Weekley, Schulte & Valdes LLC
Wenzel Fenton Cabassa, P.A.
Wetherington, Hamilton, P.A.
Whistleblower Law Firm P.A.
Wiant Guerra King
Wicker Smith O’Hara McCoy & Ford P.A.
William A. Knight, P.A.
Wanger Law Group, P.A.
Young Scantlan, LLC

TO BE ADDED TO THIS LIST, PLEASE EMAIL A LIST OF ATTORNEYS IN YOUR FIRM TO STACY@HILLSBAR.COM.
The Rough Riders reached Tampa by train in 1898 before sailing to Cuba, as depicted in this stereoview card. Their influence lives on, as the mascot for Roosevelt Elementary School and in the local Rough Riders, famous for distributing teddy bears.

Buell & Eligett’s board certified trial and appellate lawyers are available for referrals or co-counseling.

Plaintiffs’ Personal Injury, Eminent Domain, Insurance Coverage and Appeals

(813)874-2600  ◇ www.belawtampa.com  ◇ Referral fees paid per The Florida Bar rules
10 years of award-winning appellate practice.

9 lawyers honored as Florida Super Lawyers or Rising Stars.

8 well-known legal listings recognized Brannock & Humphries’ lawyers as top performers.

7 successful trials supported by Brannock & Humphries in the last year.

6 founding employees, all still a part of our now 20-employee firm.

5 lawyers board certified in appellate practice.

4 lawyers named among Florida Trend’s Legal Elite, and
4 lawyers listed as Best Lawyers in America.

3 lawyers recognized by Chambers USA: America’s Leading Lawyers for Business, and
3 lawyers included on Super Lawyers’ lists of Top 100 Lawyers in Florida and Top 50
Lawyers in Tampa Bay.

2 lawyers noted by Super Lawyers as among the Top 50 Women Lawyers in Florida,
and 2 lawyers honored in Florida Trend’s Legal Elite Hall of Fame.

1 lawyer celebrated by Super Lawyers as one of the Top 10 Lawyers in Florida, and
1 outstanding law firm highlighted as a “Best Law Firm” by U.S. News & World Report.

Tampa | Tallahassee | Sarasota | 813.223.4300 | bhappeals.com
Mental Health Town Hall Meeting

HCBA held a joint town hall meeting with the Hillsborough Association for Women Lawyers (HAWL) on May 29 on the very important subject of mental health and wellness for lawyers. Thank you to Florida Bar President-Elect Dori Foster-Morales for leading this great discussion, and to HAWL President-Elect Mandi Clay for speaking about this important subject. We appreciate everyone that helped coordinate this event and to everyone that participated.
The North Tampa Bar Association (formerly the Carrollwood Bar Association) is pleased to announce that it is accepting new members.

Our organization offers many benefits, including:
- Monthly legal education credits at luncheon meetings
- Monthly attorney roundtable meeting
- A listserv for attorneys to share ideas, issues and referrals
- Regular networking events and socials
- Monthly newsletter
- Listing for all members in a practice-area-searchable directory on the association’s public website
- Holiday charity programs

Visit us at www.northtampabarassociation.com to join or to register for events

Contact us: northtampabarassociation@gmail.com

Follow us on Facebook & Twitter: @NorthTampaBar

The 2019 North Tampa Bar Association Board Members (from top left to right and bottom left to right): James Loper, Dan Bubley, Bob Wise (Treasurer), Mike Hancock (Immediate Past President), Gus Centrone, Andy Hamilton, Angie Rosello (Secretary), Claire Saady, Sonya Colon, Adria Beenhakker Dickey (President), Jared Kukar (President-Elect), Paul Elliott, and Joe Kalish.
Sara Accardi - Bradley Arant Boult Cummings LLP is pleased to announce that Sara D. Accardi, an attorney in the firm’s Tampa office, has been named to the board of directors of Tampa Connection. Founded in 1985, Tampa Connection prepares class members to become active volunteers and leaders in the Tampa Bay community while building professional relationships.

Rebecca Arends - Rumberger, Kirk & Caldwell welcomes Rebecca Arends to the firm’s Tampa office. Arends focuses her practice on casualty and trucking litigation, defending clients against claims involving premise liability, negligence and personal injury including catastrophic injuries and wrongful death. She also represents individuals in wills, trusts and estates through general estate planning.

Ceci C. Berman - Congratulations to Ceci Berman of Brannock & Humphries, who was appointed to a second consecutive three-year term on The Florida Bar’s Civil Procedure Rules Committee, as the vice chair of the committee.

Richard Blau - GrayRobinson is pleased to announce that shareholder and chair of the firm’s Alcohol Beverage and Food Department Richard Blau was inducted to the National Conference of State Liquor Administrators (NCSLA) Hall of Fame, the organization’s highest honor.

Cory Brandfon - Harris, Hunt & Derr, P.A. welcomes attorney Cory Brandfon as an associate. Brandfon’s practice will focus on marital and family law.

Steven L. Brannock - Steve Brannock of Brannock & Humphries presented “Appeals from Administrative Agency Action” at The Florida Bar’s Advanced Administrative Law Topics Seminar.

Ronald A. Christaldi - The law firm of Shumaker, Loop & Kendrick, LLP is pleased to announce that Tampa partner Ronald A. Christaldi has been invited to join the Tampa Bay Business Journal Leadership Trust, an exclusive community for influential business leaders, executives and entrepreneurs in Tampa Bay.

FAWL (Florida Association for Women Lawyers) - In June, retired Judge Claudia Isom received the 2019 Rosemary Barkett Outstanding Achievement Award Winner for her outstanding career achievements and commitment to the mission of the Florida Association for Women Lawyers (FAWL). FAWL’s highest award is named in honor of Rosemary Barkett — the first female Florida Supreme Court Justice. During the presentations, FAWL also recognized two other HCBA members with Leaders in the Law Awards for the Thirteenth Circuit: Mandy Clay and Erin Jackson. Congratulations to all three members!

Continued on page 65
AROUND THE ASSOCIATION

Continued from page 64

Celene H. Humphries - Celene Humphries of Brannock & Humphries presented “Key Issues in Engle Cigarette Litigation” at the 2019 Florida College of Advanced Judicial Studies.

Wesley K. Jones - Glausier Knight, PLLC, is pleased to announce that the firm has changed its name to Glausier Knight Jones, PLLC with the addition of Wesley K. Jones to its practice. Jones is a member of the firm’s real estate and business litigation teams, where his practice focuses in the representation of homeowner’s associations and condominium associations throughout Florida.

Larry Kemm - Holland & Knight’s Tampa office welcomes Tax Partner Larry Kemm, who has joined as a member of the firm’s Taxation Team.

Dean Kent - Trenam Law is pleased to announce that shareholder Dean A. Kent has been named chair of the firm’s Intellectual Property Litigation Practice.

Matthew Lastinger - Hill Ward Henderson welcomes Matthew “Matt” Lastinger as an associate in the firm’s Corporate & Tax group. Lastinger’s practice focuses on mergers and acquisitions, private equity, venture capital, as well as general corporate advice.

Matt Livesay - Quarles & Brady LLP announces that Matt Livesay has joined the firm’s Trusts and Estates Practice Group in its Tampa office. Livesay practices in the areas of estate planning, taxation, business law, and matters involving the administration of trusts and estates.

Maegen P. Luka - Maegen P. Luka of Brannock & Humphries presented “Changing Trends in PFS Law — What you need to know about what has (and has not!) changed” at the Florida Justice Association’s Proposals for Settlement webinar.

Linda R. Norbut - Thomas & LoCicero is pleased to announce that Linda R. Norbut has joined the firm’s Tampa office as an associate. Her practice concentration is in media and communications law, including defamation and invasion of privacy. She also focuses on business litigation and intellectual property matters.

Jeffrey M. Paskert - Jeff Paskert was elected president of the University Club of Tampa. Paskert is the president of the Mills Paskert Divers law firm, whose practice areas include commercial, construction, and surety litigation.

Eliot Peace - Bradley Arant Boult Cummings LLP is pleased to announce that Eliot B. Peace, an attorney in the firm’s Tampa office, has been appointed by Florida Gov. Ron DeSantis to the Judicial Nominating Commission for the Second District Court of Appeal.

Continued on page 66

RECOVERY OF INVESTORS’ LOSSES
Representing individuals and entities that have suffered losses as a result of the negligence, fraud or other wrongdoing of their stockbroker, investment advisor, or other financial professional.

SCOTT C. ILGENFRITZ
Board Certified Business Litigation Attorney
SCOTTI@JPFIRM.COM
WWW.FLORIDASECURITYSFRAUDLAWYER.COM

JOHN POPE
BOKOR, RUPPEL & BURNS, LLP
COUNSELORS AT LAW
401 E. JACKSON ST., SUITE 3100 TAMPA, FL 33602 • (813) 225-2500
Member of the Public Investors Arbitration Bar Association (PIABA) since 1997. Past President of PIABA. Member of PIABA’s Board of Directors 2008-2017.
AROUND THE ASSOCIATION

Continued from page 65

Cynthia Sass – Cynthia Sass of the Sass Law Firm authored Chapter 11, Discovery and Deposing the Alleged Harasser and Defense Witnesses: The Plaintiff’s Perspective, in the recently published book Sexual Harassment and Retaliation: A Practical Handbook for Plaintiff and Defense by the Tort Trial & Insurance Practice Section of the American Bar Association. Sass is also regional editor of the southeast for Employment at Will: A State-by-State Survey, and she co-authored the Florida chapter, as well as each annual supplement, as published by BNA Bloomberg and the ABA.

Sessums Law Group - Sessums Law Group announces that it has expanded its presence in Tampa and relocated to a larger office space at 3444 South Westshore Boulevard.

Jeffrey Shear - Quarles & Brady LLP congratulates Jeffrey Shear, a partner with the firm’s Real Estate practice group, who has been elected president of the Real Estate Investment Council for 2019-2020.

Brian Sparks - Gunster is pleased to announce that shareholder Brian Sparks has been appointed to serve as chair of the newly formed Disaster and Emergency Planning and Response Committee of The Florida Bar’s Real Property, Probate, and Trust Law (RPPTL) Section.

Stearns Weaver Miller Weissler – Shareholder Elise Batsel and attorney Kevin Reali have joined Stearns Weaver Miller’s Tampa office in the Land Development and Real Estate Groups.

Super Lawyers – Five of the Top Ten lawyers in Florida rated by Super Lawyers are in Tampa: Caroline Black Sikorski, Celene H. Humphries, Harley E. Ridel, III, Jeanne T. Tate and Joseph H. Varner, III. HCBA congratulates these members and recognizes this notable achievement.

CLASSIFIED ADVERTISING

SELLING YOUR PRACTICE? Before you do, find out how much it’s really worth. Get your free copy of the Guide to Selling Your Florida Law Practice, written by a fellow practicing attorney. Start planning now to maximize the value of your sale. Call (407) 917-9594 or go to www.ExitMyLawPractice.com now!

JURY TRIALS

For the month of July 2019

Judge: Hon. Kimberly Sharpe-Byrd
Parties: Robin Stegenga vs. Pasco County Sheriff’s Office
Attorneys: for plaintiff: Keith Carter and Adam Brum of Morgan & Morgan; for defendant: Robert Maxim Stoler and Joel R. Mohorter of Stoler Russell Keener Verona P.A.
Nature of case: Automobile negligence
Verdict: Defense verdict

ADVERTISING INDEX

Barnett Bolt (Todd Foster) .................................................. 30
Bay Area Legal Services .................................................... 25
Brannock & Humphries ...................................................... 60
Buell & Elliott ................................................................. 59
Bush Graziano Rice & Platter, P.A. ................................. 33
Cardillo Law ................................................................. 6
CBIZ ............................................................................... 31
Charles W. Ross .............................................................. 14
Dispute Alternatives LLC ................................................ 57
Ernie Palmer Toyota ......................................................... 5
EWE Demand, Inc............................................................ 21
Ferman Automotive ......................................................... 64
Footprints Beachside Recovery Center ............................ 5
Givens Givens Sparks - Stann Givens .............................. 45
Griffin Mediation ............................................................ 63
Gunn Law Group ........................................................... Inside Front Cover
Holland & Knight - Leonard Gilbert .............................. 39
Jeffrey D. Murphy, P.A. ................................................ 12
Johnson, Pope, Bokor, Ruppel & Burns LLP - Scott Ilgenfritz .................................................. 65
Law Office of Robert Eckard & Associates .................. 47
LawPay ........................................................................ Inside Back Cover
Libero’s School & Dance Club ........................................ 33
Morgan & Morgan Business Trial Group ...................... 52
NGBS ........................................................................... 56
North Tampa Bar Association ....................................... 62
Older, Lundy & Alvarez .................................................. 27
Robert Bonanno .............................................................. 4
SeaCoast Bank ............................................................... 10
Sessums Law Group ....................................................... 63
TCS ............................................................................... 67
The Bank of Tampa ........................................................ Back Cover
The Centers .................................................................... 57
The Fraley Law Firm, P.A. .............................................. 13
Thompson Brand Images ............................................... 42
Trombley & Hanes .......................................................... 61
Upchurch Watson White & Max Mediation Group ........ 16
Wenzel Fenton Cabassa .................................................. 17
Westin Sarasota ............................................................. 39
WidoffPhoto ................................................................. 7
All Your Case Services @ One Stop.

VIDEO SERVICES | EXHIBIT BOARDS | FOCUS/MOCK TRIALS | GRAPHICS/ANIMATIONS

TCS
CONSULT | DESIGN | PRESENT

"Trial CS, LLC is a Leading Trial Consulting company Driven by Knowledge, Integrity, and Performance. Committed to our clients' Success."
Visit Our Website for Full Services and See How We can Help Your Next Case.

Email: info@trialcs.com, Website: www.trialcs.com

PLAINTIFF

II Terry Bollea (AKA Hulk Hogan) v. Gawker
II PODS v. U-Haul

DEFENSE

Δ Marcela Borges v. Meritage Home
(As featured on Discovery ID)
Δ MERCO V. TECO
Lawyer Magazine 30-Year Anniversary: Favorite Covers from 1990-1995

To celebrate the 30th anniversary of the HCBA Lawyer magazine this Bar year, we are going to be highlighting some of the beautiful covers the magazine has displayed over the years.

For each issue, members will be able to vote through an online survey for their top five covers for each five-year period that the magazine has been published.

In this issue, we are featuring the five favorite covers from 1990-1995, the first five years that the magazine was published. (Note: Because there were more than 40 magazines for this period, HCBA staff voted and narrowed down the choices to 12, and then members voted on their favorite five from those choices.)


June 1994 issue featuring Beach Day by Michael Bryan, Lawrence Charles Galleries, Tampa

Keep an eye out for another online poll in early October to vote for your favorite covers from 1996-2000 for the next issue!
Kiss paper checks goodbye

You deserve a payment solution that doesn’t leave you waiting and wondering.

xoxo LawPay

Paper checks are notoriously unreliable. They get lost in the mail, they get tossed in the laundry, and they carry a lot of sensitive information around with them wherever they go.

LawPay changes all of that. Give your clients the flexibility to pay you from anywhere, anytime. Plus, we can guarantee you stay in compliance with ABA and IOLTA guidelines.

Schedule a demo today

866-384-1299 or visit lawpay.com/hillsbar