GRAYROBINSON



Jeffrey D. Keiner

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Focus

- Appellate
- Construction
- Entertainment and Sports
- Environmental and Sustainability Law
- Food Law
- Insurance Defense
- Litigation
- Mediation and Alternative Dispute Resolution
- Personal Injury
- Probate
- Product Liability and Toxic Tort
- Professional Liability Defense
- Technology Transactions
- Transportation and Logistics

Jeff is a very highly respected experienced trial lawyer, as well as a mediator and arbitrator. He has held an AV rating from *Martindale-Hubbell* for over 30 years and an AV Preeminent® rating for over 25 years. He is recognized as a best lawyer in his field by *Chambers USA*, *Best Lawyers in America*, *Super Lawyers*, and *Florida Trend*'s Legal Elite. He successfully tried one of the longest civil jury trials in Florida history, and other high-profile cases including representation of a music super group and their label in a recording company/management dispute and a landmark Federal Endangered Species Act case involving beach nesting of loggerhead sea turtles. He has handled hundreds of jury, nonjury, arbitration, summary proceeding and administrative matters, including complex commercial litigation, banking, patent, trademark and trade name litigation; estate and high-stakes trust/probate litigation; professional malpractice, construction, environmental claims, including Endangered Species Act, RCRA, CERCLA, power plant and industrial process systems, USFWS and DEP permitting; proceedings before the water management districts; architect and engineer, land use and real estate litigation, water, wastewater and storm water management law, computer software licensing, legal, medical and accounting malpractice, intellectual property and ADA/Fair Housing Act litigation, numerous "bet the company" matters, and large exposure personal injury, products and wrongful death cases.

Jeff also concentrates in the areas of sports and entertainment, intellectual property, patent and copyright litigation and works with tax, corporate and transactional lawyers in review of contracts, licenses, service agreements and computer software licensing.

Jeff obtained his mediator training at Harvard in 1989, and is a certified mediator by the state of Florida, the Florida 5th District Court of Appeal, U.S. District Court and the Middle District of Florida. He is a member of the American Arbitration Association Complex, as well as the Commercial and Energy Sector Arbitration Panels. His jury trial, arbitration and appellate practice encompasses significant cases in all Florida state and federal courts and the U.S. Supreme Court. He is a member of the Million Dollar Advocates Forum.

Jeff is originally from St. Louis, and grew up in Marion, Indiana. He earned his undergraduate degree from Miami University, Oxford, Ohio, in 1968. From 1968 to 1971, he served as a communications officer and deck officer on U.S. Navy destroyer, USS Ault. After leaving the Navy, he went to law school, obtained his law degree from the University of Michigan in 1974, and began practicing law with Akerman, Senterfitt and Eidson in Orlando. Ten years later he became a founding partner with Fisher, Rushmer, Werrenrath, Keiner, Wack and Dickson, P.A. In June of 1995, he joined GrayRobinson as head of the firm's Litigation Department, concentrating on complex commercial, construction, professional liability, environmental and intellectual property litigation, arbitration and mediation. He remained head of the firm's litigation department for nearly 20 years and is now an executive shareholder. He is a frequent speaker and panelist on a wide range of litigation and professional practice issues, and consults with lawyers, house counsel and clients on matters of litigation tactics, procedure and strategy, and jury selection and trial simulations.

Significant Reported Cases

- *Loggerhead Turtle v. County Council of Volusia County*, Case No. 97-2083, U.S. Court of Appeals for the Eleventh Circuit, 148 F.3d 1231 (1998) - Environmental Litigation.
- *Ecodyne Cooling Div. of Ecodyne Corp. v. City of Lakeland*, Case No. 88-3761, U.S. Court of Appeal for the Eleventh Circuit, 893 F.2d 297 (1990) - Lakeland Power Plant Commercial Litigation.
- *American Historic Racing Motorcycle Ass'n, Ltd. v. Team Obsolete Promotions*, Case No. 97-1263-CIV-ORL-18B, U.S. District Court for the Middle District of Florida, Orlando Division, 33 F. Supp. 2d 1000 (1998) - Trademark Litigation.
- *Loggerhead Turtle v. Cty. Council*, Case No. 95-587-CIV-ORL-22, U.S. District Court for the Middle District of Florida, Orlando Division, 896 F. Supp. 1170 (1995) - Endangered Species Act Litigation.
- *Florian Greenhouse, Inc. v. Kok Constr., Inc.*, Case No. 94-769-CIV-T-17A, U.S. District Court for the Middle District of Florida, Tampa Division (1995) - Construction Litigation.
- *In re Monroe Cty. Hous. Corp.*, Case No. 81-01901-BKC-SMW, Adv. No. 81-0516-BKC-SMW-A, U.S. Bankruptcy Court for the Southern District of Florida, 26 B.R. 686 (1983) - HUD Section 8 Housing Litigation.
- *In re Rules of Civ. Procedure*, Case No. 58986, Supreme Court of Florida, 391 So.2d 165 (1980).
- *Zolla v. DiGaetano*, Case No. 99-210, Court of Appeal of Florida, Fifth District (1999) - Commercial Contract Litigation.
- *DeLeuw, Cather and Co. v. Grogis*, Case No. 94-1658, Court of Appeal of Florida, Fourth District, 664 So.2d 989 (1995) - Engineering Construction Litigation.

- *Black and Veatch v. Boothe*, Case No. 85-484, District Court of Appeal of Florida, Fifth District, 479 So.2d 881 (1985) - Electrical Engineering Litigation.
- *Mechanical Plant Services, Inc. v. Westinghouse Electric Company,* Case No. 99-00076-CV-ORL, 31A, United States Court of Appeals for the Eleventh Circuit, No. 00-15291 (2001).
- *PortionPac Chemical Corp.vV. Sanitech Systems, Inc.,* Case No. 8:01-CF-1297-T-17MAP, Middle District of Florida, U.S. District (2002).
- *Transcontinental Records v. Zomba Recording Corporation*, Case No. 99-1282-CIV-ORL-22C, Middle District of Florida.
- *Brian Woods v. Planet Hollywood International*, Case No. VI-098-8149 (37), Circuit Civil Division, Orange County, Florida.
- *WKMG/Channel 6 - Central Florida Motor Sales.*
- *Aerostation Corporation v. Amway*, Case No. 96-1102-CIV-ORL-22, Middle District of Florida.
- *In re Sunterra Corp. Securities Litigation*,199 F.Supp.2d 1308 (M.D. Fla. 2002).
- *Leatherback Sea Turtle v. Flagler County Bd. of County Com'rs*, 359 F.Supp.2d 1209 (M.D.Fla. 2004).
- *Vela v. Kendall*, 905 So. 2d 1033 (Fla. 5th DCA 2005).
- *North American Title v. Victor and Norelys Tejada*, Case No. CI07CI376.
- *Barnie's v. AMC and Al-Huwaitan*, Case No. 6:07-CV-1664-ORL-19UAM, Middle District of
- *Cornelius James Bellamy, II, et. al. v. Exxon Mobil Corporation,* Case No. 07-CA-277, Circuit Civil Division, Orange County, Florida.
- *Teton Industrial Construction, Inc. v. Siemens Power Generation, Inc.*, Case No. 07-CA-3692, Business Court, Circuit Civil Division, Orange County, Florida

Slip Opinions

- *Baker County Medical Services Inc. v. Summit Smith, L.L.C.*, 2007 WL 114000 (M.D.Fla., 2007)
- *Ranger Const. Industries, Inc. v. Jacobs Civil, Inc.*, 968 So. 2d 580 (Table), 2007 WL 4278244 (Fla. 5th DCA 2007)
- *Trizen Systems, Inc. v. Software AG, Inc.*, 2003 WL 25668024 (M.D. Fla. 2003)
- *Jans ex rel. Jans v. The GAP Stores, Inc.*, 2006 WL 2691800 (M.D. Fla. 2006)
- *P.R.G. Parking Management, LLC v. Park, Bark, and Fly, LLC*, 2007 WL 2302144 (M.D. Fla. 2007) Omega Patents, LLC v. Lear Corp., 2008 WL 821886 (M.D. Fla. 2007)
- *Berkel and Co. Contractors, Inc. v. HJ Foundation, Inc.*, 2008 WL 227880 (M.D. Fla. 2008

Education

- **Miami University, Ohio, A.B.** (1968)
- **University of Michigan, J.D.** (1974)
  - Harvard Law School Federal Rules of Evidence Workshop, 1988
  - Harvard Law School Advanced Mediation Workshop, 1989
  - University of Michigan Teaching Fellow, Appellate Advocacy and Legal Writing, 1973
  - Lt. U.S. Navy, USS AULT, DD-698, 1968-1971

Alternative Dispute Resolution Training

- "Managing Procedures, Process and Dynamics" (ACE005), American Arbitration Association, Arbitration Panel, Chair, 2006

- "Practical Tips for Dealing with Delay Tactics of Parties and Advocates" (ACE004), American Arbitration Association, 2005
- "Arbitrator Ethics and Disclosure" (ACE003), American Arbitration Association, 2004
- Annual Arbitrator Update, 2001
- 5th District Court of Appeal, Appellate Mediation Training, 2001
- Advanced Case Management Issues, American Arbitration Association Construction Industry Arbitrator II Training, 2001
- Construction Industry Arbitrator Training, American Arbitration Association, 1999
- Advanced Mediation Training, Harvard
- Various ADR training

Admissions

- Florida
- Florida Supreme Court
- Tennessee
- U.S. Supreme Court
- U.S. Court of Appeals for the 5th and 11th Circuits
- U.S. District Court for the Southern and Middle Districts of Florida
- U.S. District Court for the Northern District of Oklahoma
- U.S. District Court for the District of New Hampshire

Professional Associations and Memberships

- U.S. District Court, Middle District of Florida
  - Certified Mediator, 1999-present
  - Civil Mediator Panelist
- Florida Supreme Court
  - Certified Mediator, 1989-present
  - Certified Appellate Mediator
- 5th District Court of Appeal, Florida
  - Certified Mediator, 2001-present
- American Arbitration Association
  - Certified Arbitrator
  - Certified Mediator
  - Commercial and Complex Case Arbitration Panel, Member
  - Large Complex Case Panel for Construction
- Florida Mediation Group, Member
- International Mediation Institute (The Hague, Netherlands)
  - Certified Mediator
- The College of Master Advocates and Barristers
  - Certified Senior Counsel Member
- Federal Bar Association, Member
  - National Intellectual Property and Communications Law Sections, Member
- The Florida Bar

    - Trial Lawyers
    - Environmental and Land Use Law
    - Entertainment, Arts, and Sports Law
- Orange County Bar Association
    - Federal Judicial Relations Committee, Member
- Florida Circuit Civil Mediator Society
    - Member, 2005-present
- 9th Judicial Circuit
    - Professionalism Panel, Chair, 2014-present
    - Fee Arbitration Committee, Member
- American Bar Association
    - Construction Industry, Forum Committee on the Construction Industry, Dispute Resolution, Litigation Sections, Member
    - Law Student Division, National Negotiation Competition Judge, 2010
- Central Florida Inns of Court, Emeritus Member
- American Registry of Outstanding Professionals, Member
- Who's Who in American Law
- Society of Automotive Engineers, Affiliate
- Million Dollar Advocates Forum, Member
- The American Institute of Architects, Associate
- American College of Barristers, Senior Counsel Member
- National Academy of Distinguished Neutrals, Member
- The Association for International Arbitration, Member

Civic

- Leadership Central Florida, 1997
- Orlando Leadership Council, Member, 1978
- Leadership Orlando, 1978
- Adventist University of Health Sciences Foundation, Board Member

Awards and Recognitions

- *Best Lawyers in America*, 2006-2017, 2020-2027
    - Arbitration
        - Lawyer of the Year, 2020, 2024
    - Commercial Litigation
    - Construction Law
    - Litigation - Construction
    - Mediation
- *Business Today News,* Top 10 Most Influential Construction Mediators in Florida, 2023
- *Chambers USA*
    - Construction, 2003-2021
    - Construction: Mediators, 2022-2025
- *Martindale-Hubbell,* AV® Preeminent Rated

- Florida *Super Lawyers,* 2006-2019
  - Top Construction Litigation Attorney, 2009
  - Business Edition, 2012
  - Top 100, 2007-2008
- *Florida Trend*, Legal Elite, 2005-2008, 2011-2014
- *Corporate Counsel*, Top Lawyer, 2011
- American Registry of Outstanding Professionals
  - America's Most Honored Professionals, 2011

Presentations and Seminars

- Program on Professionalism, George C. Young American Inns of Court, April 20, 2021
- "Field Change Procedures," American Society of Civil Engineers, Young Engineer's Section, 1989
- "Recent Developments in Stormwater Management," American Society of Civil Engineers, 1991
- "Overview of Permitting Procedures for Construction in Florida," American Society of Civil Engineers, September, 1991
- "Mediation of Commercial Disputes," American Bar Association, Business Law Section Spring Meeting, 1992
- VOSCO/NSPE Meeting of Invited Attorneys, 1993
- "Professionalism," Florida Lawyers Mutual Insurance Company, 1995
- "Contracts Negotiation and Drafting," Design Professionals Insurance Company, 1995
- "Drafting of Construction Contracts," American Institute of Architects Fall Meeting, November 1996
- "Determining What Information is Discoverable," Florida Discovery Skills for Paralegals, January 1998
- "Taxpayer Relief Act of 1997," DPIC Insurance Companies, Meeting of Invited Attorneys, April 1998
- "Practicing Law in the Year 2000," Florida Lawyers Mutual Insurance Company, August 1998
- "Five Ways the Millennium Bug Might Bite, and Five Ways to Keep it from Biting You!," Design Professionals Insurance Company, November 1998
- "Designing in the New Millennium: The 1999 Design Professional Legal Seminar," October 1999
- Barry University School of Law, February 2012, Trial Competition, Judge
- "Mold and Mildew Litigation," CNA – Victor O. Schinnerer and Company, April 2003
- "Design Documents: Liability Traps and Escapes in Florida," September 2006
- Stetson University College of Law and Florida Defense Lawyers Association, Trial Excellence in Advocacy Workshop, January 2008
- "Avoiding "Green Building" Liability," CMAA West Florida Chapter, CMAA West Central Florida Chapter and the Design-Build Institute of America Florida Region, Inc., January 2009
- Case Valuation and Settlement Tips - GrayRobinson, P.A. Litigation Team Luncheon Series, January 2009
- "Navigating Through First and Third Party Bad Faith Litigation," GrayRobinson, P.A. Year-End Litigation Department Meeting, Ritz Carlton, Orlando, Florida, August 2009
- Avoiding "Green Building" Liability, 4th Campus and Community Sustainability Conference, University of South Florida, Tampa, Florida, October 2009

- "May It Please the Mediator: Strategies for Success in the Era of the Vanishing Jury Trial," *Inside the Minds: Emerging Applications for ADR 29* (Aspatore Books, 2010)
- "Arbitration and Other ADR," presented by GrayRobinson, Orange County Bar Association ADR Committee and American Arbitration Association, Orlando, Florida, May 1, 2012
- "Communicate, Arbitrate and Litigate In an Efficient Manner," The Florida Bar, Paralegal Section Seminar, Orlando, Florida, September 29, 2012
- Condominium Risk Management Seminar, LRK/Memphis, September 2015

Articles and Publications

- Podcast, "The Lost Art of Professionalism," Ninth Judicial Circuit Court of Florida, Open Ninth, June 17, 2019
- Co-author, "What is Betterment?" *Advisory Bulletin*, Travelers Insurance, January 2018
- "May It Please the Mediator: Strategies for Success in the Era of the Vanishing Jury Trial," *Inside the Minds: Emerging Applications for ADR 29* (Aspatore Books, 2010)
- Co-author, "Mixed Use Condo Projects – Pitfalls," April 2005
- "Mixed-Use Condominium Projects: Cautionary Tales," *Lorman Construction Newsletter*, March 2007

Media Mentions

- "Top 10 Most Influential Construction Mediators in Florida: Insights and Expertise," *Business Today News,* July 9, 2023