Litigation

Trial-ready team providing powerful representation for business and governmental clients across Florida and nationally. Offering innovative defense strategies in all major areas of law.

Heightened risk and increased scrutiny make exposure a cost of doing business. When operational, financial, and reputational disruption is at stake, powerful representation and skillful interventions designed to save time, energy, and resources are vital. The GrayRobinson cross-practice litigation team provides comprehensive dispute management skills for clients facing complex and uphill litigation. Protecting your business is our business. With service capacity in every major market in Florida and beyond, we help companies resolve disputes efficiently and cost-effectively.

Persistent and Determined

GrayRobinson accompanies clients in some of the most sophisticated and remarkably complex litigation in Florida and across the United States. Our team consistently delivers persistent and determined representation at every level of the court system, including all Florida state courts and all federal courts up through the U.S. Supreme Court and the Federal Court of Claims. Our strategies and approach go beyond the conventional. We're focused on outcomes, not barriers, in guiding clients through the litigation, trial, and appellate phases. We collaborate with clients in all substantive areas of the law, including administrative and regulatory, bankruptcy and creditors' rights, business litigation, construction claims, eminent domain, government affairs, intellectual property, labor and employment, private clients, and real estate.

With meaningful experience in multidistrict litigation, coordinated state proceedings, and bet-the-company cases, we evaluate all available remedies to resolve disputes, including negotiation, arbitration, mediation, and other inventive yet less obvious solutions. We have the sector depth and capability to create customized teams to handle an array of civil disputes. We've built trusted and lasting relationships with market leaders and in-house teams across the country, establishing a go-to legal presence in Florida's most dynamic sectors, including banking and financial services, government, healthcare, hospitality, regulated products, technology, tourism, transportation, and utilities, among others.

As technology continues to drive change across the global marketplace, its impact on the art and science of litigation is no exception. Automation, digital transformation, document management, electronic filing, and data privacy and security are becoming more sophisticated every day and changing how we partner with clients to manage litigation and expand caseloads. Streamlining and controlling processes and expenses also extends to how we manage relationships with necessary industry experts and consultants that add depth and perspective to our work.

Powerful Representation

Many members of our leading litigation team have decades of courtroom experience, have served as in-house counsel in both corporate and political environments, and are board-certified by The Florida Bar in Business Litigation, Civil Trial Law, and Appellate Practice. The cross-practice team works closely with lawyers and consultants throughout the firm to deliver sophisticated litigation support for clients facing multifaceted issues and disputes.

Administrative Hearings

Our administrative litigation attorneys are experienced in every phase and type of Chapter 120 proceedings on behalf of both governmental agencies and petitioners. Our representation has included rule challenges, bid protests, administrative hearings, contested disciplinary matters and licensing issues. Our litigators have appeared before the Department of Administrative Hearings, the Florida Real Estate Commission, the Florida Commission on Human Relations, the Department of Business and Professional Regulation and the Greater Orlando Aviation Authority, as well as the counties of Orange, Seminole, Volusia, Brevard and Marion and, among others, the school boards of Orange, Lake and Volusia counties.

Admiralty and Maritime

GrayRobinson's litigation attorneys are experienced in virtually all marine matters, including personal injury and wrongful death, hull and machinery claims, cargo disputes, charter party disputes, pollution incidents, groundings, collisions, explosions, fires and regulatory matters.

Antitrust and Trade Regulation

GrayRobinson's litigation attorneys also provide important antitrust representation to help clients through antitrust litigation. Our extensive experience with complex commercial litigation, including such matters as securities, healthcare, intellectual property and class-action litigation provides the basis and support for the firm's strong commitment to and extensive resources in the antitrust and trade regulation field.

Appellate and Trial Support

Our appellate and trial support team offers seasoned appellate advocacy representing clients in all state and federal courts, including before Florida and U.S. Supreme Courts. The team frequently collaborates with trial lawyers – both from GrayRobinson and other law firms throughout Florida and the United States – to assist in preparing cases for trial, appearing at trial to advance arguments, and preserving the record for appeal. Experienced counsel is crucial in navigating heightened litigation.

Banking and Finance

GrayRobinson represents lending clients in commercial litigation, including banking software litigation, collections, mortgage and securities agreements, foreclosures, lender liability, title insurance claims defense prosecution of fraud, forgery and other matters involving deposit accounts, letters as well as in credit and wire transfers governed by the Uniform Commercial Code. We also assist our lending clients with litigation and defense of defamation suits involving both federal and state fair debt collection and reporting practices. We have defended financial

institutions and other businesses from lender liability litigation, including class action litigation, usury claims, and "truth in lending" claims in both state and federal courts.

Commercial Litigation

GrayRobinson's litigation attorneys have both the technical know-how and the advocacy skills to handle commercial disputes of all types, including claims involving bank and lender liability; commercial electronic fund transfers; investment securities; landlord/tenant disputes; letters of credit; negotiable instruments; partnerships; replevin; commercial sales, leases and warranty claims (enforceability, priority and default); shareholder actions; ERISA matters; franchising issues; security interests; transportation law; and warehouse receipts, bills of lading and documents of title.

GrayRobinson also represents clients in numerous mass tort cases involving products such as tobacco, breast implants, latex gloves, medical devices, pesticides and pharmaceutical products.

Construction Litigation

Our construction litigation attorneys bring together the considerable talents of individuals whose collective construction litigation experience spans more than a century. Our construction litigators represent architects, engineers and contractors in all phases and types of disputes, ranging from residential matters to the largest power plants, infrastructure and industrial facilities. GrayRobinson's construction litigators have the experience to advise and support your team before, during and after your project.

Election Law

GrayRobinson's litigation department has represented political candidates, Legislators, members of Congress, the Florida Secretary of State, the Speaker of the Florida House of Representatives and the Republican Party of Florida in election contests, election litigation and other election-related matters. The firm also served as Special Counsel to the Governor of Florida and represented the Florida House of Representatives as Redistricting Counsel.

Eminent Domain/Condemnation

GrayRobinson offers its eminent domain clients the personal attention of a small boutique firm but has the resources of a large law firm that can handle almost any legal issue that might arise in an eminent domain case, including real estate, local government, land use, environmental permitting and tax planning.

ERISA Litigation

Shifting Strategies

The risk of litigation across the employee benefits marketplace is accelerating. Evolving case law, market volatility, and increased scrutiny on healthcare costs is having an explosive effect on ERISA benefits litigation as the wave of high-stakes claims and sophisticated tactics continues to exert pressure on managed care companies. Our ERISA litigation team has

decades of experience working closely with in-house counsel and other key stakeholders in this highly complicated and granular litigation subspeciality to help shift and protect their defensive strategies.

Sector Strengths

GrayRobinson collaborates with insurance companies and third-party administrators to mitigate risk and guard against individual payor-provider disputes and class actions involving group and individual life, health, and disability policies. Our trusted team of experienced litigators represents several of the largest carriers in the country at both the trial and appellate levels, and in administrative and arbitral proceedings.

We advise and defend clients facing complex ERISA litigation involving medical and disability benefits, fiduciary responsibility, prohibited transactions, retiree medical obligations, commercial transactions, and ERISA's preemption of state law. Working to maximize subrogation and reimbursement rights, we help clients navigate the unique standards of review that govern ERISA claim disputes and also manage disputes stemming from agreements between benefit plans and third party administrators, as well as nonparticipating provider claims.

Our team delivers cost-efficient counseling, while fully developing all available legal defenses. We have handled hundreds of participating and nonparticipating provider claims on behalf of our insurance clients, and are highly attuned to the trends, decisions, and evolving jurisprudence impacting providers and the employee benefits industry as a whole.

Multidisciplinary Team

Members of our ERISA litigation team have served as lead counsel for numerous class actions and individual claims. The team is bolstered by our leading corporate, employee benefits, healthcare, and managed care practices with broadly developed experience in the design, drafting, implementation, and operation of health, life, and disability plans and procedures. We represent dozens of plans maintained by publicly traded and privately held, tax-exempt, and governmental employers.

Entertainment

The firm's sports and entertainment law attorneys offer comprehensive legal services for high-profile individuals and businesses, including contract, royalty, copyright, trademark and general litigation matters. GrayRobinson has also represented major state universities and coaches in matters such as NCAA proceedings.

Environmental

GrayRobinson's litigation attorneys have broad experience handling environmental claims, including environmental mass tort claims. Our environmental litigators have handled trials and appeals throughout Florida and the southeastern United States.

Some of our past work includes resource recovery (RECRA and CERCLA); Federal Fish and Wildlife Services matters, including endangered species; surface water pollution; stormwater pollution and air pollution.

Estates and Probate

GrayRobinson's litigators are experienced with probate matters if issues with trusts, estate plans, and wills arise.

Government

The firm serves as litigation counsel and/or special counsel to numerous cities, counties and public agencies.

Healthcare

In an era when healthcare providers can incur millions of dollars in fines resulting from regulatory noncompliance and whistleblower lawsuits, it's important to work with a law firm that understands the complex issues facing the industry. GrayRobinson has assembled a team of litigators who understand the unique legal considerations of physicians, hospitals and other medical providers and stand ready to advocate on their behalf.

Insurance, Subrogation and Insurance Defense

Our litigation attorneys handle a full range of insurance defense issues, including commercial general liability; automobile casualty; professional malpractice, including medical, dental, legal, architect and engineers; coverage opinion letters; coverage declaratory actions and admiralty and maritime claims. Additionally, GrayRobinson has a Florida statewide practice in insurance subrogation litigation.

Labor and Employment Law

GrayRobinson has extensive experience in management labor and employment law, including discrimination claims under Title VII (race, sex, color, creed, national origin); the Age Discrimination in Employment Act: the Americans with Disabilities Act, related state law and local ordinances; equal pay; age, and hour matters under the Fair Labor Standards Act and other related government contractor matters and the federal Family and Medical Leave Act.

The team defends clients against equal employment opportunity charges in the investigation and litigation stages at the federal, state and local levels and handles, employment at-will and related contractual and tort claims in federal and state courts. In addition, our management labor and employment litigation team represents employers in unemployment compensation claims, misconduct issues and the appeal process before the agency and in state courts.

Land Use and Real Estate

The firm actively litigates real estate matters, including mortgage and mechanic's lien foreclosures, boundary disputes, property rights, real estate commissions and condominium

problems. GrayRobinson has a long history of representing water, wastewater, solid waste, telecommunications, gas and electric utilities throughout the state of Florida, including representing operational utilities in rate cases before the Florida Public Service Commission.

The firm also handles matters involving disputes about the use, planning, zoning, and permitting of real property, whether those disputes occur between the landowner and the government, or between neighboring (or otherwise affected) landowners. GrayRobinson handles and has experience with petitions for writs of certiorari and Chapter 163 Comprehensive Plan challenges.

Marital and Family Law

GrayRobinson's litigation attorneys have extensive trial experience in complex marital and family law matters, including adoptions and stepparent adoptions, alimony, annulments, appeals, child custody, child support, child visitation, collaborative law, contempt and enforcement, declaratory relief/clarification (family law), dissolution of marriage, domestic violence injunctions, marital estate valuation, marital settlement agreements, modifications of child custody and visitation, modifications of child support and alimony, partition, paternity, pre- and postnuptial agreements, property distribution, qualified domestic relief orders, qualified medical child support orders, separate maintenance actions (legal separations), termination of parental rights, and time share and parenting plans.

Medical Malpractice Defense

GrayRobinson's medical malpractice defense litigation attorneys have significant experience defending healthcare providers in a wide range of cases. From presuit screening through trial on the merits, we provide healthcare practitioners with advice that draws upon our years of experience.

Personal Injury

Our litigation attorneys have represented manufacturers, distributors and retailers in personal injury litigation and large class actions, and we have worked with national counsel to coordinate defense strategy. In limited circumstances, and when doing so does not create either a technical or a business conflict with our existing clients, we represent businesses and individuals who have suffered injury, physical or otherwise, stemming from negligence, intentional torts and/or business torts.

Product Liability and Toxic Tort Defense

GrayRobinson's product liability litigation attorneys have extensive experience representing clients throughout the supply chain at all levels of litigation, both directly and on behalf of insurers. Our firm has provided trial counsel in a broad range of product liability cases.

Professional Liability

GrayRobinson represents insureds such as doctors, lawyers, architects, engineers and accountants. We emphasize early and aggressive intervention in an attempt to resolve claims

as quickly as possible. Our attorneys also recognize their duty to the insured and the value of the commercial relationship between the insured and the insurance carrier.

Securities Litigation

Our firm's lawyers have extensive experience in securities industry litigation and arbitration. Over the years, we have represented public and private companies, underwriters, accounting firms, investment banks, broker-dealers, insurers, financial planning consultants, investment advisors, mutual fund companies and their officers and directors in cases involving federal and state securities law issues.

Transportation Litigation

We have represented numerous entities within the transportation industry regarding insurance defense matters including commercial, general liability, transportation casualty, property and uninsured motorist.