



APPELLATE DIVISION



APPELLATE AND LEGAL ISSUES GROUP

What sets our Appellate and Legal Issues Group apart is that all of our senior appellate attorneys, partners and associates alike, have tried cases. While other law firms promote the separateness and distinctiveness of their appellate attorneys, Cole, Scott & Kissane believes that the best defense of the client is provided by fully-developed, seasoned attorneys who have tried cases. Experience and perspective are just two of the important benefits of our approach.

The Appellate and Legal Issues Group works with our trial lawyers to protect and preserve our wins or preserve errors for review when the outcome of a trial is unfavorable. Our attorneys are involved in the drafting of dispositive motions and responses to dispositive motions, jury instructions, and post-trial pleadings. Attention to the details during the progress of the litigation at the trial court level provides assurance to our clients that the firm is constantly striving to buttress victories and properly preparing for the contingencies of an unfavorable outcome.

With respect to appeals from cases not tried by our firm, our commitment remains constant. We work with trial counsel, where possible, to ensure that no detail is overlooked and that the appellate court is provided a complete record. If we are appealing an adverse verdict, it is of the highest importance that the appellate court be provided with a complete record and then educated as to why the trial court's decision should be reversed. Only compelling, analytical writing and argument will grab the court's attention in this age of overcrowded and overflowing dockets. Choosing the right attorney can be the difference between an affirmance and a reversal for a new trial.

Conversely, when preserving a win, it is important to ensure that the same commitment and energy is expended defending a positive result as was expended before the trial court. Too many law firms languish following their trial court victory, losing all that was gained by a poorly thought out and articulated appeal. The court's favorable decision must be buttressed and made as unassailable as possible. Your appellate firm must articulate solid, focused, and credible reasoning in defense of the judgment and defend that win with the same passion and enthusiasm as trial counsel below.

Again, the difference in retaining Cole, Scott & Kissane is that we treat every appeal with the same level of energy, enthusiasm, and attention to detail as the case received in the trial court. We realize that the stakes remain high while the case is on appeal, and treat your appeal accordingly. When you are considering an appellate practice, and the potential loss is great, you need the assistance of experienced and seasoned attorneys who will not fade at this crucial, and too often neglected, stage of the litigation.

Finally, our record of success at the appellate level speaks for itself. Attached and following are the biographies of the members of the Appellate and Legal Issues Group. We encourage you to review our qualifications and contact us if you or your business is in need of representation in an appellate matter. We have appellate attorneys located conveniently in our offices around the State of Florida.

THOMAS E. SCOTT



Thomas E. Scott brings a judicial perspective and a wealth of experience and knowledge to the Appellate and Legal Issues Department. Judge Scott is a former Florida State Circuit Court and Federal District Court Judge, serving as a Circuit Judge for the Eleventh Judicial Circuit for Miami-Dade County from 1979 to 1984, and appointed as a United States District Court Judge for the Southern District of Florida, where he served from 1985 to 1990. After Judge Scott retired from the bench, he served as a United States Attorney for the Southern District of Florida from 1997 until 2000.

Currently a Senior Named Partner in the firm's Miami Office, Judge Scott is an AV-rated attorney according to Martindale-Hubbell. He has been selected as one of the top 1.7% of Civil Trial Lawyers in the State of Florida by Florida Trend Magazine since 2005 and as one of the Top Lawyers in South Florida by the South Florida Legal Guide.

Judge Scott has a diversified practice that includes insurance coverage and carrier representation, appellate admiralty, aviation, city and municipality representation, professional negligence, commercial litigation, and fraud litigation. Judge Scott also serves as a Special Master for the

United States District Court for the Southern District.

Judge Scott is admitted to practice before the United States Supreme Court, the Supreme Court of Florida, the United States Court of Appeals for the Eleventh Circuit, the United States District Courts for the Northern, Middle, and Southern Districts of Florida.

Judge Scott received a Bachelor of Arts degree in Economics and Juris Doctor degree from the University of Miami. Judge Scott received a Master of Laws degree from The University of Virginia.

PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS:

The Florida Bar
The American Bar Association
The United States District Judges' Association
The Lawyers Advisory Committee for the Southern District of Florida
The Judicial Nominating Committee for the Northern, Middle, and Southern Districts of Florida
The Product Liability Advisory Council Foundation (Member and Fellow)
Co-Chairman of the American Bar Association Committee on Discovery - Litigation Section
Past Chairman - Security Committee of the United States District Court for the Southern District of Florida
Past Chairman of the Southern District Grievance Committee

PUBLISHED AND NOTABLE APPELLATE OPINIONS:

Morrow v. Israel Aircraft Industries, Ltd., 2007 WL 2826148 (M.D. Fla. Sept. 25, 2007)
Masztal v. City of Miami, 971 So.2d 803 (Fla. 3d DCA 2007)
Barnett v. Carnival Corp., 2007 A.M.C. 1453 (S.D. Fla. 2007)
Ace Pro Sound and Recording LLC, v. Albertson, 512 F.Supp.2d 1259 (S.D. Fla. 2007)
U.S. v. Gupta, 463 F.3d 1182 (11th Cir. 2006)
Cordova v. Lehman Brothers, Inc., 413 F.Supp.2d 1309 (S.D. Fla. 2006) & 237 F.R.D. 471 (S.D. Fla. 2006)
LiPuma v. American Express Co., 406 F.Supp.2d 1298 (S.D. Fla. 2005)
West v. Dyncorp, 2005 WL 1939445 (11th Cir. August 15, 2005)
Samco Global Arms, Inc. v. Arita, 395 F.3d 1212 (11th Cir. 2005)
Florida Evergreen Foliage v. E.I. Dupont De Nemours and Co., 336 F.Supp.2d 1239 (S.D. Fla. 2004)
Harper v. E.I. Dupont De Nemours and Co., 802 So.2d 505 (Fla. 4th DCA 2001)
Green Leaf Nursery v. E.I. DuPont De Nemours and Co., 341 F.3d 1292 (11th Cir 2003)

SCOTT A. COLE



Scott Cole is a Partner in the Miami office. Mr. Cole practices in a wide variety of areas of general liability insurance, coverage, personal injury, admiralty, aviation, commercial litigation, medical and professional malpractice, employment, condominium association, and nursing home litigation.

Mr. Cole has handled over 60 appeals, including cases before the United States Supreme Court, the Florida Supreme Court, the United States Eleventh Circuit Court of Appeals, and all of Florida's District Courts of Appeal. Some of Mr. Cole's recent notable appeals include the following:

First Specialty Ins. Co. v. Caliber One Indem. Co., 988 So.2d 708 (Fla. 2d DCA 2008) – The Second District reversed a summary judgment, holding that the applicable insurance policies did not cover punitive damages or attorney's fees, and the "civil penalties or fines" exclusion encompassed punitive damages.

L.A. Fitness Intern., LLC v. Mayer, 980 So.2d 550 (Fla. 4th DCA 2008) – The Fourth District reversed a jury award in a wrongful death case, hold that even if a business owner has a duty to provide "first aid" to business invitees facing medical emergencies, such obligation does not encompass the duty to perform skilled treatment.

Ramey v. Haverty Furniture Companies, Inc., 993 So.2d 1014 (Fla. 2d DCA 2008) – The Second District affirmed that a customer's negligence claim should be dismissed for fraud on the court.

Masztal v. City of Miami, 971 So.2d 803 (Fla. 3d DCA 2007) – The Third District, in a class action, affirmed the City of Miami's motion to vacate and set aside a \$7,000,000 settlement agreement.

TRW Automotive U.S. LLC v. Papandopoles, 949 So.2d 297 (Fla. 4th DCA 2007) – The Fourth District remanded a trial court order denying a motion to dismiss on *forum non conveniens* grounds, holding that the trial court failed to follow a four-step analysis in evaluating the *forum non conveniens* motion.

In re Celotex Corp., 299 Fed.Appx. 850 (11th Cir. 2008) – In a billion dollar asbestos case, the bankruptcy court originally found that notice of claims given to excess insurers of asbestos property-damage claims ranging from 5 to 10 years was untimely, and the United States Middle District affirmed. The Eleventh Circuit affirmed the judgment in favor of the excess carriers.

Mr. Cole is admitted to practice before the United States Supreme Court, United States Eleventh Circuit Court of Appeals, the United States District Courts for the Northern, Middle, and Southern District of Florida, the Supreme Court of Florida and all courts within the State of Florida.

Mr. Cole earned his Bachelor of Arts from the University of Florida, successfully completing the honors program in political science. Mr. Cole also studied international relations at the graduate level at the University of Florida. Mr. Cole received his Juris Doctor from the University of Miami, where he received a series of honors and distinctions including being a member of *The University of Miami Inter-American Law Review* and representing the school on the National Moot Court team.



PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS:

The Florida Bar
The Appellate Practice Section of The Florida Bar
Dade County Bar Association
Miami-Dade County Bar Association
Big Brothers Big Sisters of Greater Miami
Past Member - The Professional Ethics Committee of The Florida Bar
Past Member and Chairman – Florida Bar Grievance Committee 11 “D”

PUBLISHED AND NOTABLE APPELLATE OPINIONS:

Tri-City Elec. v. Werner, -- So.2d --, 2009 WL 500629 (Fla. 1st DCA Feb. 27, 2009)
First Specialty Ins. Co. v. Caliber One Indem. Co., 988 So.2d 708 (Fla. 2d DCA 2008)
L.A. Fitness Intern., LLC v. Mayer, 980 So.2d 550 (Fla. 4th DCA 2008)
Kozich v. Cornell, 983 So.2d 601 (Fla. 4th DCA 2008)
Florida Ins. Guar. Ass’n, Inc. v. Soto, 979 So.2d 964 (Fla. 3d DCA 2008)
Ramey v. Haverty Furniture Companies, Inc., 993 So.2d 1014 (Fla. 2d DCA 2008)
MarElia v. Yanchuck, Berman, Wadley & Zervos, P.A., 966 So.2d 30 (Fla. 2d DCA 2007)
Masztal v. City of Miami, 971 So.2d 803 (Fla. 3d DCA 2007)
Dienes v. U.S. Alliance Management Corp., 955 So.2d 1187 (Fla. 3d DCA 2007)
Yakavonis v. Dolphin Petroleum, Inc., 954 So.2d 740 (Fla. 4th DCA 2007)
Hilltopper Holding Corp. v. Estate of Cutchin, 955 So.2d 598 (Fla. 2d DCA 2007)
TRW Automotive U.S. LLC v. Papandopoulos, 949 So.2d 297 (Fla. 4th DCA 2007)
Marshall v. Amerisys, Inc., 943 So.2d 276 (Fla. 3d DCA 2006)
Ireland v. Francis, 945 So.2d 524 (Fla. 2d DCA 2006)
Newsome v. Towers of Quayside, 937 So.2d 215 (Fla. 3d DCA 2006)
Your Druggist, Inc. v. Powers, 934 So.2d 1182 (Fla. 2006)
Stevens v. Americana Healthcare Corp. of Naples, 919 So.2d 713 (Fla. 2d DCA 2006)
Menard v. Florida Ins. Guar. Ass’n, 920 So.2d 718 (Fla. 4th DCA 2006)
MN MedInvest Co., L.P. v. Estate of Nichols ex rel. Nichols, 908 So.2d 1178 (Fla. 2d DCA 2005)
Powers v. Thobhani, 903 So.2d 275 (Fla. 4th DCA 2005)
Arenas v. Cheesecake Factory Restaurants, Inc., 907 So.2d 1184 (Fla. 3d DCA 2005)
Mierzwa v. Florida Windstorm Underwriting Ass’n, 877 So.2d 774 (Fla. 4th DCA 2004)
Dollar Systems, Inc. v. O’Connor & Meyers, P.A., 883 So.2d 295 (Fla. 3d DCA 2004)
Fremont Indem. Co. v. Carey, Dwyer, Eckhart, Mason & Spring, P.A., 796 So.2d 504 (Fla. 2001)
Hickey v. A.D.M.E. Inv. Partners, Ltd., 786 So.2d 1206 (Fla. 3d DCA 2001)
Whitt v. Silverman, 788 So.2d 210 (Fla. 2001)
Viscioso v. Manz, 756 So.2d 238 (Fla. 3d DCA 2000)
Crawford v. Weaver, Kuvn, Weaver & Lipton, P.A., 730 So.2d 844 (Fla. 3d DCA 1999)
Harrod v. Gaglioti, 706 So.2d 122 (Fla. 3d DCA 1998)
Gans v. Miller Brewing Co., 560 So.2d 281 (Fla. 4th DCA 1990)
Peoples Const. Co., Inc. v. Escoe Green, Inc., 522 So.2d 493 (Fla. 1st DCA 1988)
In re Celotex Corp., 299 Fed.Appx. 850 (11th Cir. 2008)
Zokaite v. Balistreri Realty, Inc., 274 Fed.Appx. 786 (11th Cir. 2008)
Bismark v. Fisher, 213 Fed.Appx. 892, 2007 WL 81754 (11th Cir. Jan. 11, 2007)
Horizon Aggressive Growth, L.P. v. Rothstein-Kass, P.A., 421 F.3d 1162 (11th Cir. 2005)
Fremont Indem. Co. v. Carey Dwyer Eckhart Mason & Spring P.A., 271 F.3d 1272 (11th Cir. 2001)
Fremont Indem. Co. v. Carey Dwyer Eckhart Mason & Spring P.A., 197 F.3d 1053 (11th Cir. 1999)

SCOTT BASSMAN



Scott Bassman is a Partner in the firm's Miami office, concentrating his practice on state and federal civil trial and appellate law, including commercial litigation, condominium and homeowner's association litigation, employment and labor law, premises liability, professional malpractice, and securities litigation. Mr. Bassman has been recognized by *Florida Trend Magazine* in its *Legal Elite* publication as one of the top "Up and Coming Attorneys" in the State of Florida.

Mr. Bassman is admitted to practice before the Supreme Court of Florida, United States Court of Appeals for the Eleventh Circuit, and the United States District Courts for the Northern, Middle, and Southern Districts of Florida.

Mr. Bassman earned a Bachelor of Science in Criminology and minor in Computer Science from Florida State University, and a Juris Doctor from Nova Southeastern University, where he graduated in two and a half years and in the top fifteen percent of his class. While in law school, Mr. Bassman was an Associate Editor of the *Journal of International and Comparative Law*, a member of the Moot Court Honor Society, and finalist for the Association of Trial Lawyers of America's negotiation competition.

PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS:

The Trial Lawyers Section of The Florida Bar
The Appellate Practice Section of The Florida Bar
Dade County Bar Association
Broward County Bar Association
Community Associations Institute

PUBLISHED AND NOTABLE APPELLATE OPINIONS:

Payton v. Monterey Village-One Condominium Ass'n, Inc., 976 So.2d 1118 (Fla. 3d DCA 2008)
Humphrey v. United Parcel Serv., et al., 200 Fed.Appx 950 (11th Cir. 2006)
Light v. Vestcor Companies, Inc., 144 Fed.Appx. 776 (11th Cir. 2005)
Sheridan v. First Gulfstream Garden Apartments Condominium, Inc., 865 So.2d 509 (Fla. 4th DCA 2004)
Wilson v. Nat'l Seating & Mobility, Inc., 812 So.2d 580 (Fla. 3d DCA 2002)

TREVOR G. HAWES



Trevor Hawes is a Partner in the firm's Jacksonville office. In addition to his appellate practice, Mr. Hawes has a diverse civil trial practice, which encompasses commercial litigation, insurance coverage matters, and general liability defense.

Mr. Hawes has practiced before the First and Fifth District Courts of Appeal, and has most recently achieved an affirmance on behalf of a banking client and statewide foreclosure practice law firm and its lawyers before the Eleventh Circuit Court of Appeals in the matter of *Acosta v. Campbell*, No. 07-10373, 2009 WL 190089 (11th Cir. Jan. 28, 2009). Mr. Hawes successfully persuaded the United States Court of Appeals for the Eleventh Circuit that a communication by a foreclosing party's counsel between and senior and junior mortgage holder about the foreclosure is not subject to the strictures of the state and federal Debt Collection Practices Act. The other underlying claims and matters appealed were

also affirmed for both the bank and law firm. Having reached this holding, the Eleventh Circuit affirmed the underlying judgments in favor of all represented clients and against the debtor plaintiff.

Mr. Hawes is admitted to practice before the Supreme Court of Florida, the United States Court of Appeals for the Eleventh Circuit, and the United States District Courts for the Northern, Middle, and Southern Districts of Florida. In addition, Mr. Hawes is admitted to practice before the United States Bankruptcy Courts for the Middle and Southern Districts of Florida.

Mr. Hawes earned his Bachelors Degree from Florida State University and earned his Juris Doctor from Nova Southeastern University.

PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS:

The Florida Bar
The American Bar Association
The Jacksonville Bar Association

NOTABLE APPELLATE OPINIONS:

Acosta v. Campbell, No. 07-10373, 2009 WL 190089 (11th Cir. Jan. 28, 2009)

JOHN S. PENTON, JR.



John Penton, a member of the Florida Bar for fifteen years, originally joined the Miami office as a part of the Appellate and Legal Issues Department. Mr. Penton now works out of the West Palm Beach office. Mr. Penton has considerable experience in pre-trial and post-trial legal writing, including appellate work in both federal and state courts, and can assist in drafting summary judgment motions and responses, and all varieties of pre-trial and post-trial legal memoranda. When detailed and well-researched memoranda of law are required, such as in federal court, Mr. Penton has wealth of experience in business, banking, and commercial law, insurance liability and coverage litigation (including third party), aviation and heavy equipment products liability, personal injury and medical malpractice, professional malpractice, maritime, environmental law and toxic torts, and ocean and coastal law.

As a few notable examples of recent achievements, in 2006, Mr. Penton drafted the appellee brief, preserving a Rule 50 win for Rockwell Collins in a \$100+ million aviation products liability case (*Ferguson v. Bombardier*, 244 Fed.Appx. 944 (11th Cir. 2007)). In 2007, after Teledyne Continental Motors was one of two defendants hit with a \$55 Million jury verdict in a Volusia County Circuit Court aviation products liability case, Mr. Penton drafted the winning motion for new trial, negating the verdict and judgments. Also in 2007, Mr. Penton co-authored the appellant's briefs for Cessna knocking a \$5.4 million jury verdict and judgment down to \$60,000 in a contracts and professional negligence case (*Cessna v. Avior*, 990 So.2d 532 (Fla. 3d DCA 2008) *rev. denied* (Fla. 2009)). Finally, in 2007, Mr. Penton drafted one of the winning motions to dismiss on grounds of *forum non conveniens* for *In re West Caribbean Airways, S.A.*, 2007 WL 5559325 (S.D. Fla. September 27, 2007).

Mr. Penton is admitted to practice before the Supreme Court of Florida, the United States Supreme Court, the United States Court of Appeals for the Eleventh Circuit, and the United States District Courts for the Northern, Middle, and Southern Districts of Florida.

Mr. Penton earned his Bachelor's degree from Wake Forest University and his law degree from the University of Memphis Cecil C. Humphreys School of Law. Mr. Penton also earned a Masters of Arts degree in Marine Affairs and Policy from the Rosenstiel School of Marine and Atmospheric Science at the University of Miami and a Master of Laws degree from the University of Miami School of Law.

PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS:

The Florida Bar
The Appellate Practice Section of The Florida Bar

PUBLISHED AND NOTABLE APPELLATE OPINIONS:

Pierre-Louis v. Newvac Corp., 584 F.3d 1052 (11th Cir. 2009)
Ferguson v. Bombardier, 244 Fed.Appx. 944 (11th Cir. 2007)
Cessna v. Avior, 990 So.2d 532 (Fla. 3d DCA 2008) *review denied* (Fla. 2009)
Smith v. Mayes, 851 So.2d 785 (Fla. 1st DCA 2003) *review denied* (Fla. 2004)
Gilmore v. St. Paul Fire & Marine Ins. Co., 708 So.2d 679 (Fla. 1st DCA 1998)
School Board of Lee County, Florida v. M.M. ex rel. M.M., 2009 WL 3182981 (11th Cir. October 6, 2009)
Meadow Groves Management, Inc. v. McKnight, 689 So.2d 315 (Fla. 5th DCA 1997)
Root v. Westvest Associates, Inc., 13 So.3d 1066 (Fla. 3d DCA 2009)

ALEJANDRO “ALEX” PEREZ



Alex Perez adds a diverse legal background to Cole, Scott & Kissane, P.A.'s Appellate and Legal Issues Department. Mr. Perez specializes in handling civil appeals, complex pre-trial and post-trial legal research and writing, federal civil litigation, and is a regular speaker and expert in the area of Medicare Secondary Payer Compliance.

Mr. Perez has handled appellate matters in a number of areas of the law. Mr. Perez has specific experience in consumer fraud and collections (including the Fair Debt Collection Practices Act and Fair Credit Practices Act), class-action securities litigation, land sale fraud, alleged unfair and deceptive practices, workers' compensation appeals, and general premises liability.

Mr. Perez's recent successes include his writing of the Initial Brief in *Israel v. Flick Mortg. Investors, Inc.*, -- So.2d --, 2008 WL 4998760 (Fla. 3d DCA (Nov. 26, 2008), where the

Third District Court of Appeal reversed the trial court's refusal to domesticate and permit enforcement of an Israeli judgment for \$1,481,550 for the sale of substantially overpriced homes in Florida. In another real estate case, Mr. Perez obtained dismissal, in part, on behalf of an alleged participant in a scheme to defraud real estate investors in rent-to-own properties in Lee County, Florida. *Sewell v. D'Alessandro & Woodyard, Inc.*, 2008 WL 4459260 (M.D. Fla. Sept. 29, 2008). Mr. Perez has also obtained a number of *per curiam* affirmances on behalf of workers compensation carriers.

Mr. Perez served as Law Clerk to The Honorable Dennis M. Cavanaugh, United States District Judge for the District of New Jersey.

Mr. Perez is admitted to practice law in all state courts in Florida, New York, New Jersey and is also admitted in the United States District Court for the District of New Jersey, the United States District Courts for the Northern, Middle and Southern Districts of Florida, and the United States Court of Appeals for the Eleventh Circuit and the United States Court of Appeals for the District of Columbia Circuit.

Mr. Perez earned his Bachelors Degree *summa cum laude* from St. John's University and earned his Juris Doctor *cum laude* from Seton Hall University School of Law.

PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS:

The Florida Bar
The Appellate Practice Section of The Florida Bar

PUBLISHED AND NOTABLE APPELLATE OPINIONS:

Wells v. Wells, __ So. 3d __, 2009 WL 2949277 (Fla. 4th DCA Sept. 16, 2009).
SKIDATA, Inc. v. Integrated Sec. Systems, Inc., 2009 WL 799270 (D.N.J. March 25, 2009)
Israel v. Flick Mortg. Investors, Inc., -- So.2d --, 2008 WL 4998760 (Fla. 3d DCA Nov. 26, 2008)
Sewell v. D'Alessandro & Woodyard, Inc., 2008 WL 4459260 (M.D. Fla. Sept. 29, 2008)
Law Offices of William F. Souza/William F. Souza v. Powell Motor Co., 992 So.2d 256 (Fla. 1st DCA 2008)
Shaw v. Elite Home Health Care, 993 So.2d 522 (Table) (Fla. 1st DCA 2008)
Bento v. Coggin Motor Mall Mercedes Benz, 986 So.2d 604 (Table) (Fla. 1st DCA 2008)
Harp v. Hubbard Construction/CNA Commercial Ins., 983 So.2d 582 (Fla. 1st DCA 2008)
Rivera v. Amalgamated Debt Collection Services, Inc., 462 F.Supp.2d 1223 (S.D. Fla. 2006)
Stewart v. National Educ. Ass'n, 471 F.3d 169 (D.C. Cir. 2006)
Sulkin v. All Florida Pain Management, Inc., 932 So.2d 485 (Fla. 4th DCA 2006)

VALERIE JACKSON



Valerie Jackson is an attorney with the Miami office, who specializes in coverage (including declaratory actions), coverage analysis, and bad faith litigation. For the past ten years, Ms. Jackson has provided opinion representation for insurance companies in the areas of commercial general liability, errors and omissions (claims made and occurrence based policies), directors and officers, automobile claims (including uninsured and underinsured motorist coverage), home owner's policies (liability and first party property coverage), and surplus lines policies. In 2002, Ms. Jackson co-authored an article entitled, "Is it Bad Faith to Settle on Behalf of One, But Not All of Your Insureds," *Coverage*, Volume 12, Number 1, January/February 2002 which was published in *Coverage* magazine.

Ms. Jackson is admitted to practice law in all state courts in Florida and in New York, and is also admitted to the United States District Court for the Southern District of Florida, United States District Court for the Middle District of Florida, United States District Court for the Northern District of Florida and Eleventh Circuit Court of Appeals.

Ms. Jackson received her Bachelors or Arts in Political Science *cum laude* from Long Island University and her Juris Doctor *cum laude* from the University of Miami. Ms. Jackson has holds a Master of Laws in International Law from the University of Miami.

PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS:

The Florida Bar
The New York State Bar Association

PUBLISHED AND NOTABLE APPELLATE OPINIONS:

Clarendon America Ins. Co. v. Bayside Restaurant LLC, 2006 WL449247 (M.D. Fla. 2006)
Key Custom Homes, Inc. v. Mid-Continent Cas. Co., 450 F.Supp.2d 1311 (M.D.Fla. 2006).
BMW of Noth America, LLC v. LaRotta, 921 So.2d 702 (Fla. 4th DCA 2006)
Prieto v. Miami-Dade County, 803 So.2d 780 (Fla. 3d DCA 2001)

DEVON OMBRES



Devon Ombres is an associate at the firm's Tampa office. Mr. Ombres concentrates his practice in the areas of appellate law, nursing home defense, medical malpractice, and general civil litigation including wrongful death and personal injury.

Mr. Ombres brings a valuable appellate perspective to Cole, Scott & Kissane's Appellate and Legal Issues Department. Prior to joining Cole, Scott & Kissane, Mr. Ombres served as a staff attorney for the Honorable Dorian K. Damoorgian at the Florida Fourth District Court of Appeal (4th DCA). Prior to that, Mr. Ombres served as an intern at the Supreme Court of Florida for Justice Harry Lee Anstead.

Mr. Ombres is admitted to practice before all courts in Florida.

Mr. Ombres received a Bachelor of Science degree in Finance and Marketing from Florida State University. Mr. Ombres earned his Juris Doctor from Stetson University College of Law, graduating *cum laude*. He was a recipient of the William F. Blews Pro Bono Service Award.

PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS:

The Florida Bar