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**BOARD CERTIFICATIONS:**

- Florida Bar Board Certified Trial Lawyer
- Florida Bar Board Certified Business Litigation Lawyer

**RATING:**

- Martindale-Hubbell AV rated – also Peer Review Rated Preeminent (5.0 out of 5.0)

**PRACTICE AREAS:**

- Civil Trial Practice
- Business Litigation
- Appellate Practice
- Land Use and Development Law
- Zoning
- Eminent Domain
- Construction Law

**EDUCATION:**

UNDERGRADUATE: Lehigh University, B.S., cum laude, 1969  
LAW SCHOOL: University of Miami, J.D., cum laude, 1972

**COURT ADMISSIONS:**

1972 Florida  
1973 U.S. District Court, Southern District of Florida  
1974 U.S. Court of Appeals, Fifth Circuit  
1977 U.S. U.S. District Court, Middle District of Florida  
1978 U.S. District Court, Northern District of Florida  
1979 U.S. Supreme Court  
1981 U.S. Court of Appeals, Eleventh Circuit

**MEMBERSHIPS:**

The Florida Bar (Board of Governors Member for 19<sup>th</sup> Judicial Circuit, 2003-2007)  
St. Lucie County Bar Association (President, 1992-1993)  
Nineteenth Judicial Circuit Grievance Committee (Member 1998-2001; Chairman, 2000-2001)  
Judicial Nominating Commission, Nineteenth Judicial Circuit (Member 2008 – 2012; Vice-Chairman, 2009-2010; Chairman, 2010-2011)

## **BORN:**

Mineola, New York, October 17, 1947

## **BIOGRAPHY:**

University of Miami Law Review, Editor, 1971-1972

St. Lucie County Chamber of Commerce, Director, 1989-1995 and President, 1992-1993

Justice Major B. Harding American Inns of Court, Fellow

## **HONORS AND AWARDS:**

Pro Bono Service Award for St. Lucie County from Florida Rural Legal Services, 2008-2009, 2009-2010.

## **REPORTED CASES:**

**Atlantic Gulf Communities Corp. v. City of Port St. Lucie**, 764 So.2d 14 (Fla. 4<sup>th</sup> DCA 1999)

Reversed trial court and held that assessment of stormwater utility fees was invalid for failure to follow statutory requirements.

**City of Port St. Lucie v. Zlinkoff**, 821 So.2d 1130 (Fla. 4<sup>th</sup> DCA 2002)

Upheld trial court order granting full refund to approximate 45,000 member class for invalid stormwater utility fees collected by City of Port St. Lucie

**Sherman v. Red Bay Stronghold Foundation**, 942 So.2d 1033 (Fla. 4<sup>th</sup> DCA 2006)

Upheld summary judgment granting property tax exemption based upon charitable purpose of conservation.

**Okeechobee Utility Authority v. Kampgrounds of America, Inc.**, 882 So.2d 445 (Fla. 4<sup>th</sup> DCA 2004)

Reversed trial court order and held that utility base facility charge was a user fee and not a special assessment.

**Indian Harbor Citrus, Inc. v. Poppell**, 658 So.2d 605 (Fla. 4<sup>th</sup> DCA 1995)

Vacated jury verdict and judgment for plaintiff and mandated judgment for defendant based upon contract interpretation issues.

**Jensen Beach Land Co., Inc. v. Citizens for Responsible Growth of the Treasure Coast, Inc.** 608 So.2d 509 (Fla. 4<sup>th</sup> DCA 1982)

Petition for Writ of Certiorari granted quashing trial court order holding DRI development order inconsistent with County comprehensive plan.

**99 Broadcasting Co., Inc. v. Crider**, 493 So.2d 462 (Fla. 4<sup>th</sup> DCA 1985)

Reversed jury verdict for plaintiff based upon faulty jury instructions.

**U.S. Life Ins. Co. in the City of New York v. Town and Country Hospital, Inc.**, 390 So.2d 71 (Fla. 2d DCA 1980)

Reversed trial court order granting new trial to plaintiff following jury verdict for defendant which was the lender in a breach of loan commitment case.