

IN THE CIRCUIT COURT OF THE  
ELEVENTH JUDICIAL CIRCUIT  
IN AND FOR MIAMI-DADE COUNTY

COMPLEX BUSINESS  
LITIGATION DIVISION

IN RE: CHAMPLAIN TOWERS SOUTH  
REPRESENTATION COLLAPSE LITIGATION.

CASE NO. 2021-015089-CA-01

---

**PLAINTIFFS' MOTION FOR AUTHORITY TO RETAIN EITHER  
ROBERT L. PARKS, ESQ., AND/OR RETIRED JUDGE JOHN W. THORNTON  
AS CLAIMS ADMINISTRATOR**

Undersigned appointed counsel, representing the putative class members, hereby moves this Honorable Court for an order authorizing the retention of either Robert L. Parks, Esquire, and/or Retired Judge John W. Thornton as Claims Administrator and in support thereof state as follows:

1. On March 8<sup>th</sup>, 2022, the Plaintiffs filed a Motion to Appoint a Claims Administrator to develop and implement a claim evaluation protocol that will assist with the administration of the claims put forth by the wrongful death subclass.

2. On March 10<sup>th</sup>, 2022, this Honorable Court entered an Order granting the Plaintiffs' Motion to Appoint Claims Administrator. Said Order required that leadership counsel meet, confer, interview, and vet potential Claims Administrator(s) in order to ensure that the potential Administrator is respected, experienced, capable, and free of any conflicts of interest. This Honorable Court's Order further required that leadership counsel present their recommendations by March 30<sup>th</sup>, 2022.

3. Following an extensive vetting process and multiple discussions with potential Claims Administrators, leadership counsel recommends that either Robert L. Parks, Esquire, and/or Retired Judge John W. Thornton be appointed as Claims Administrator.

4. Attorney Parks, a graduate of Georgetown University Law Center, has over 50 years of experience in mass torts, aviation, wrongful death, and commercial litigation claims. He is a recipient of the Legal Legends Award from History Miami's 11th Judicial Circuit Historical Society, which recognizes members of the legal community who have made significant contributions to the law, legal system or the administration of justice in the 11th Judicial Circuit for at least 25 years or more. A copy of Mr. Parks' biography is attached hereto as "Exhibit A."

5. Judge Thornton, a graduate of the University of Miami School of Law (1977), served as a Circuit Court Judge for the Eleventh Judicial Circuit of Florida from 2007 to 2020 and presided over class action, mass tort, construction, and complex business and commercial cases. A copy of Judge Thornton's biography is attached hereto as "Exhibit B."

6. Both Mr. Parks and Judge Thornton are well respected, experienced, and capable of handling this matter. Furthermore, Mr. Parks and Judge Thornton reported no potential conflicts in serving as Claims Administrator.

7. Mr. Parks and Judge Thornton have agreed to serve as Claims Administrator for a reduced hourly fee, which will be negotiated further after selection and the scope of responsibilities further defined.

8. Leadership counsel has no preference as to which Claims Administrator should be appointed and leaves it to this Honorable Court's discretion as to which of the two should be selected.

9. In the event the appointed Claims Administrator is unable to fulfill his duties secondary to unforeseen issue(s) or requires assistance in the timely completion of his duties, leadership counsel requests that the Alternate Claims Administrator be substituted.

**WHEREFORE**, Undersigned counsel respectfully moves this Honorable Court for an order authorizing the retention of either Robert L. Parks, Esquire, and/or Retired Judge John W. Thornton as Claims Administrator.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed and served through Florida's e-Filing Portal to all counsel of record registered to receive service for this matter on this 29<sup>th</sup> day of March, 2022.

/s/ Jorge E. Silva

Jorge E. Silva (FBN 964476)

Carlos Silva

SILVA & SILVA, P.A.

236 Valencia Avenue

Coral Gables, FL 33134

Tel: (305) 445-0011

[jsilva@silvasilva.com](mailto:jsilva@silvasilva.com)

*Plaintiffs' Steering Counsel*

Harley S. Tropin (FBN 241253)

Javier A. Lopez (FBN 16727)

Jorge L. Piedra (FBN 88315)

Tal J. Lifshitz (FBN 99519)

Eric S. Kay (FBN 1011803)

KOZYAK TROPIN &

THROCKMORTON LLP

2525 Ponce de Leon Boulevard,

9th Floor

Coral Gables, FL 33134

Tel: (305) 372-1800

[hst@kttlaw.com](mailto:hst@kttlaw.com)

*Plaintiffs' Co-Chair Lead Counsel*

Aaron S. Podhurst (FBN 63606)

Ricardo M. Martínez-Cid

(FBN 383988)

Lea P. Bucciero (FBN 84763)

PODHURST ORSECK, P.A.

1 SE 3rd Avenue, Suite 2300

Rachel W. Furst (FBN 45155)

Stuart Z. Grossman (FBN 156113)

Andrew B. Yaffa (FBN 897310)

Alex Arteaga-Gomez (FBN 18122)

GROSSMAN ROTH YAFFA

COHEN, P.A.

2525 Ponce de Leon Boulevard,

Suite 1150

Coral Gables, FL 33134

Tel: (305) 442-8666

[rwf@grossmanroth.com](mailto:rwf@grossmanroth.com)

*Plaintiffs' Co-Chair Lead Counsel*

Adam M. Moskowitz (FBN 984280)

Howard M. Bushman (FBN 364403)

Adam A. Schwartzbaum (FBN 93014)

Joseph M. Kaye (FBN 117520)

THE MOSKOWITZ LAW FIRM, PLLC

2 Alhambra Plaza, Suite 601

Miami, FL 33131  
Tel: (305) 358-2800  
rmcid@podhurst.com

*Plaintiffs' Personal Injury and Wrongful  
Death Track Lead Counsel*

Javier A. Lopez (FBN 16727)  
KOZYAK TROPIN &  
THROCKMORTON LLP  
2525 Ponce de Leon Boulevard,  
9th Floor  
Coral Gables, FL 33134  
Tel: (305) 372-1800  
jal@kttl.com

*Plaintiffs' Economic Loss and Property  
Damage Track Co-Lead Counsel*

Curtis B. Miner (FBN 885681)  
COLSON HICKS EIDSON, P.A.  
255 Alhambra Circle, Penthouse  
Coral Gables, FL 33134  
Tel: (305) 476-7400  
curt@colson.com

*Plaintiffs' Wrongful Death Charitable  
Liaison Counsel*

Robert J. Mongeluzzi (*pro hac vice*)  
Jeffrey P. Goodman (*pro hac vice*)  
Samuel P. Dordick (*pro hac vice*)  
SALTZ MONGELUZZI & BENDESKY  
One Liberty Place, 52nd Floor  
1650 Market Street  
Philadelphia, PA 19103  
Tel: (215) 496-8282  
rmongeluzzi@smbb.com

*Plaintiffs' Steering Committee*

Coral Gables, FL 33134  
Tel: (305) 740-1423  
adam@moskowitz-law.com

*Plaintiffs' Economic Loss and Property  
Damage Track Co-Lead Counsel*

Stuart Z. Grossman (FBN 156113)  
GROSSMAN ROTH YAFFA  
COHEN, P.A.  
2525 Ponce de Leon Boulevard, Suite 1150  
Coral Gables, FL 33134  
Tel: (305) 442-8666  
szg@grossmanroth.com

*Plaintiffs' Wrongful Death Damage Claim  
Liaison Counsel*

John Scarola (FBN 169440)  
SEARCY DENNEY SCAROLA  
BARNHART & SHIPLEY, P.A.  
2139 Palm Beach Lakes Boulevard  
West Palm Beach, FL 33409  
Tel: (561) 686-6300  
jsx@searcylaw.com

*Plaintiffs' Steering Committee*

Shannon del Prado (FBN 127655)  
PITA WEBER & DEL PRADO  
9350 S. Dixie Highway, Suite 1200  
Miami, FL 33156  
Tel: (305) 670-2889  
sdelprado@pwndlawfirm.com

*Plaintiffs' Steering Committee*

Gonzalo R. Dorta (FBN 650269)  
GONZALO R. DORTA, P.A.  
334 Minorca Avenue  
Coral Gables, FL 33134  
Tel: (305) 441-2299  
grd@dortalaw.com

*Plaintiffs' Steering Committee*

Willie E. Gary (FBN 187843)  
GARY WILLIAMS PARENTI  
WATSON & GARY, PLLC  
221 S.E. Osceola Street  
Stuart, FL 34994  
Tel: (772) 283-8260  
weg@williegary.com

*Plaintiffs' Steering Committee*

MaryBeth LippSmith (*pro hac vice*)  
Graham LippSmith (*pro hac vice*)  
LIPPSMITH LLP  
555 S. Flower Street, Suite 4400  
Los Angeles, CA 90071  
Tel: (213) 344-1820  
mb@lippsmith.com

*Plaintiffs' Steering Committee*

Judd G. Rosen (FBN 458953)  
GOLDBERG & ROSEN, P.A.  
2 S. Biscayne Boulevard, Suite 3650  
Miami, FL 33131  
Tel: (305) 374-4200  
jrosen@goldbergrandrosen.com

*Plaintiffs' Steering Committee*

John H. Ruiz (FBN 928150)  
MSP RECOVERY LAW FIRM  
2701 S. LeJuene Road, 10th Floor  
Coral Gables, FL 33134  
Tel: (305) 614-2222  
jruiz@msprecoverylawfirm.com

*Plaintiffs' Steering Committee*

Luis E. Suarez (FBN 390021)  
HEISE SUAREZ MELVILLE, P.A.  
1600 Ponce de Leon Boulevard, Suite 1205  
Coral Gables, FL 33134  
Tel: (305) 800-4476  
lsuarez@hsmpa.com

*Plaintiffs' Steering Committee*

William F. "Chip" Merlin, Jr. (FBN 364721)  
MERLIN LAW GROUP  
777 S. Harbour Island Blvd., Suite 950  
Tampa, FL 33602  
Tel: (813) 229-1000  
cmerlin@merlinlawgroup.com

*Plaintiffs' Insurance Coverage Liaison  
Counsel*

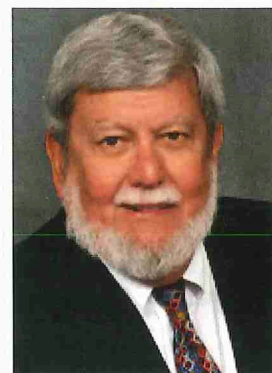
Bradford R. Sohn (FBN 98788)  
THE BRAD SOHN LAW FIRM  
1600 Ponce de Leon Boulevard, Suite 1205  
Coral Gables, FL 33134  
Tel: (786) 708-9750  
brad@bradsohnlaw.com

*Plaintiffs' Steering Committee*



# Robert L. Parks

A nationally recognized trial attorney with more than five decades of experience, Robert L. Parks is a **highly respected advocate in the courtroom and a leader in the community**. He is committed to providing personal attention and professional services to every client. Instead of focusing on case volume, his Firm focuses on case selection and likelihood of recovering for his clients and their family.



## An Exceptional Trial Lawyer:

A native of the Bahamas, Parks has enjoyed boating, diving and other water activities all his life, and is deeply familiar with marine equipment, as well as safety standards and practices. He brings that knowledge and experience to his legal practice, representing plaintiffs in litigation involving drownings, watercraft deaths and injuries, in both U.S. and offshore resort litigation. Parks has been an effective advocate in bringing negligence-related death or catastrophic injury cases to U.S. courts rather than offshore jurisdictions.





ROBERT L. PARKS, P.L.

[About](#)

[Practice Areas](#)

[Media](#)

[Contact Us](#)

career highlights include product liability cases against large pharmaceutical companies as well as serving as Florida Counsel in the Antitrust Class Action against Microsoft.

In 2017, Parks received the International Academy of Trial Lawyers' Distinguished Fellow designation, which has only occurred on ten occasions since the founding of the Academy, the honorary association of elite trial attorneys. In 2017, Parks received the Florida Chapter of the American Board of Trial Advocates (FLABOTA) Personal Injury (Plaintiff) Trial Attorney of the Year Award, given to a candidate who has had a distinguished career and a superb reputation of high ethics and fair play.

Parks received the 2015 Legal Legends Award from History Miami's 11th Judicial Circuit Historical Society. The award recognizes members of the legal community who have made significant contributions to the law, legal system or the administration of justice in the 11th Judicial Circuit for at least 25 years or more. Parks was also the recipient of the 2012 Perry Nichols Award from the Florida Justice Association, given annually to a Floridian who has fought with distinction for justice throughout his life. The prestigious award was established in 1977 as a permanent tribute to Perry Nichols, an FJA founder and nationally renowned Florida trial attorney.

In 2011, Parks was honored by The Southern Trial Lawyers Association as the recipient of the prestigious War Horse Award, its highest honor, for extraordinary contributions to the cause of justice. All nominees for this award are acknowledged leaders in their communities who have been actively practicing for more than 30 years, demonstrated outstanding skill as trial advocates and shown exceptional contributions to furthering the cause of justice.

Parks is a member of America's Top 100 Personal Injury Attorneys and the National Aviation Trial Lawyers Top 10. He has been named one of the 'Best Lawyers of America' every year since its inception in 1983. Out of the estimated 30,000 'Best Lawyers of America,' only 1,397 have been consecutively named since 1983. Parks has been included in Florida Super Lawyers' annual listing for the past ten years, earned the distinction from his peers as a 'Top Lawyer' in South Florida Legal Guide every year since 2003, and he is a member of Lawdragon's Top 3000. In addition, the Firm is listed in the U.S. News & Best Lawyers® list of 'Best Law Firms.'





Everglades Foundation, an internationally recognized organization dedicated to creating relevant and creative solutions to complex restoration issues without burdening taxpayers. Parks served as volunteer chairman of the state's Environmental Regulation Commission from 1978 to 1986 under Governor Bob Graham. For his dedicated leadership, Parks was named The National Audubon Society's Environmentalist of the Year. In keeping with his commitment to protect the environment, Parks was an original member of 1,000 Friends of Florida, where he served as litigation chair for 13 years. A leader in the South Florida community, Parks also served for nearly 20 years under three governors in leading efforts to restore the Miami River culminating in serving as the first chair of the Miami River Commission in 1998.

## **A Professional and Community Leader:**

A consummate legal professional, Parks serves on the Board of Trustees for the National Judicial College. He is a past chairman of the Board of Visitors for the College, which educates and trains trial judges from around the country. Parks is a past president of the International Academy of Trial Lawyers, a Fellow in the American College of Trial Lawyers and past chair of its Florida Access to Justice Committee. He is a Fellow of the Litigation Counsel of America, a Fellow of the American Board of Trial Advocacy, a Fellow of the International Society of Barristers, and holds a lifetime membership in the American Law Institute.

He was an original appointee by The Florida Bar to the Florida Supreme Court Commission of Professionalism and served as chair of the American Bar Association's Forum on Air & Space Law. Parks is past president of the Dade County Bar, a former member of the Florida Supreme Court Judicial Nominating Commission, past president of the Florida Bar Young Lawyers, and served for six years as a member of the Board of Governors of The Florida Bar.

Parks was the first chair of The Florida Bar's Aviation Law Certification Committee. He is also a member of the Lawyer Pilots Bar Association, the International Society of Air Safety Investigators, and co-author of two chapters in Kreindler's Aviation Accident Law for Matthew Bender & Company, Inc., on "Military Accidents" and "Air Traffic Control Negligence."

In the South Florida community where he resides, Parks serves on the Dean's Advisory Board for





service to the community.

## CAREER SUMMARY

A nationally recognized trial attorney with more than 50 years of experience, Robert L. Parks is a highly respected advocate in the courtroom and a leader in the community. He focuses his plaintiff's practice on offshore resort litigation, mass tort, aviation, wrongful death and product liability cases, bringing negligence-related death or catastrophic injury cases to trial in U.S. courts rather than offshore jurisdictions.

Born in 1938 in Nassau, The Bahamas, Parks has enjoyed boating, diving and other water activities all his life, and is deeply familiar with marine equipment, as well as safety standards and practices. Since being admitted to the Florida Bar in 1964, Parks has represented hundreds of plaintiffs in personal injury, wrongful death, offshore resort, aviation and automotive cases. Parks has handled more than 200 general aviation crashes as well as product liability cases against large pharmaceutical companies. He also served as Florida Counsel in the Antitrust Class Action against Microsoft.

## PRIMARY PRACTICE AREAS

- Aviation
- Mass Torts
- Personal Injury
- Product Liability
- Commercial Litigation
- Offshore Resort Litigation
- Wrongful Death

## PROFESSIONAL HONORS AND AWARDS



only occurred on ten occasions since the founding of the academy, the honorary association of elite trial attorneys.

- Florida Chapter of the American Board of Trial Advocates (FLABOTA) Personal Injury (Plaintiff) Trial Attorney of the Year Award (2017), given to a candidate who has had a distinguished career and a superb reputation of high ethics and fair play.
- History Miami's 11th Judicial Circuit Historical Society's "Legal Legends Award (2015)," which recognizes members of the legal community who have made significant contributions to the law, legal system or the administration of justice for at least 25 years or more.
- The Florida Justice Association's "Perry Nichols Award (2012)," given annually to a Floridian who has fought with distinction for justice throughout his life.
- The Southern Trial Lawyers Association "War Horse Award (2011)," its highest honor for extraordinary contributions to the cause of justice.
- Best Lawyers of America (1983 to present)
- Florida Super Lawyers (2005 to present)
- South Florida Legal Guide "Top Lawyer" (2003 to present)
- Lawdragon Top 3000, (2010-11)
- U.S. News & World Report's Best Lawyers® and "Best Law Firms" rankings (2008-2022)

## COMMUNITY OFFICES AND ACTIVITIES

- Board of Directors and Litigation Counsel, Everglades Foundation
- Member, Board of Directors, Boys and Girls Club of Miami
- Member, Dean's Advisory Council, FIU College of Law
- Past Board Member, HistoryMiami
- Past Member, Advisory Council, Trust for Public Land
- Past Co-Chair, Legal Services of Greater Miami, Inc., Fund Raising Committee

## PROFESSIONAL LEADERSHIP

- Executive Committee Member, Board of Trustees, National Judicial College
- Past Chairman, Board of Visitors, National Judicial College
- Member, Dade County Bar Association. President. 1980-1981



ROBERT L. PARKS, P.L.

**About**

**Practice Areas**

**Media**

**Contact Us**

- Senior Fellow, Litigation Counsel of America
- Fellow, International Society of Barristers
- Fellow, American Trial Lawyers Association
- Fellow, American College of Trial Lawyers (Past Chair, Access to Justice Committee)
- Fellow, American Bar Foundation
- Past Chairman, ABA Forum on Air & Space Law
- Past Chairman, Aviation Law Certification Committee, The Florida Bar Association Fellow, American Board of Trial Advocates
- Fellow, Roscoe Pound Foundation
- Lifetime member, American Law Institute
- Fellow, Florida Bar Foundation
- Diplomate, Academy of Florida Trial Lawyers
- Member, America's Top 100 High Stakes Litigators
- Past Member, Board of Directors, Trial Lawyers for Public Justice
- Past Member, Florida Supreme Court Commission on Professionalism Board of Trustees
- 11th Judicial Circuit Historical Society
- Member, American Law Institute
- Member, Lawyer Pilots Bar Association
- Member, International Society of Air Safety Investigators
- Tort Litigation Review Commission of The Florida Bar, 1983-1988
- President, Young Lawyers Section, The Florida Bar, 1972-1973
- President, Young Lawyers Section, Dade County Bar Association, 1971-1972
- Board of Governors, Young Lawyers Section, The Florida Bar, 1966-1971
- State Committeeman, Academy of Florida Trial Lawyers, 1978-1980

**PROFESSIONAL ARTICLES AND PRESENTATIONS**

- Co-Author, "Military Accidents" and "Air Traffic Control Negligence" in Kreindler's Aviation Accident Law for Matthew Bender & Company, Inc.
- Has lectured nationally regarding jurisdiction, litigation, aviation law, personal injury and other issues.



ROBERT L. PARKS, P.L.

**About**

**Practice Areas**

**Media**

**Contact Us**

Chairman, Miami River Commission, 1998-2005

Member, Governor's Commission on Property Rights, 1993-1994

Chairman, Miami River Coordinating Committee, 1984-1989

Chairman, Environmental Regulation Commission, 1979-1987

Member, Environmental Land Management Study Committee (ELMS II), 1982-1984

## **EDUCATION**

University of Florida, B.A. in Political Science, Gainesville, FL, 1960

Georgetown University Law Center, Washington, D.C., 1963

Member, Georgetown Law Review

Chairman, Barristers Council (Appellate Advocacy)

## **Aviation – Recent Cases:**

2016 Jihlavan KP5 ASA (Skyleader 500) crash, Rhoadesville, Virginia

2015 Boeing 767 incident in Ft. Lauderdale, FL

2015 Lockheed Martin F16 crash, Albacete, Spain

2014 Cessna crash in Hinton, Virginia

2013 Piper crash in Ft. Lauderdale, FL





ROBERT L. PARKS, P.L.

[About](#)

[Practice Areas](#)

[Media](#)

[Contact Us](#)

2012 Cessna crash, Stock Island, Key West, Florida

2010 Robinson Helicopter crash, Blairsville, Georgia

2010 Smith Aerostar 601p crash, Sugar Grove, Illinois

2010 Robinson Helicopter crash in Blairsville, GA

2009 Boeing/McDonnell Douglas crash in Shanghai, China

2009 Piper PA-32R-301T crash in Ft. Lauderdale, Florida

2008 Santa Barbara Airlines ATR 42-300 crash in Venezuela

2008 Beech 35-B33 crash in Homosassa Springs, Florida

2008 Cessna crash in Cedar Key, Florida

2008 Piper PA-28-161 crash in the Gulf of Mexico, off the coast of Venice, Florida

2008 Cessna 208 injury in St. Barthelemy, French Caribbean

2008 Rockwell International 690B crash in Rio Grande, Puerto Rico

2007 Hughes 369A crash in Moulton, Alabama

2007 American Champion crash in Orlando, Florida

2007 Piper PA-30 crash in the Everglades, Florida

2007 TAM Linhas Aereas crash in Sao Paulo, Brazil



2006 Cirrus SR22 crash in Statesville, North Carolina

2006 GOL (Brazil mid-air collision)

2006 Comair crash in Lexington, Kentucky

2005 Chalks crash in Government Cut in Miami, Florida (lead liaison counsel)

2004 Canadair crash in Montrose, Colorado

2004 Raytheon T-6A Texan II in Savannah, Georgia

2003 Sikorsky MH-53M Pave low helicopter crash near Bagram Air Base in Afghanistan (representing three families)

2000 Osprey crash in North Carolina

1999 Bell UH-1H Huey Helicopter crash in Panama (representing seven passengers)

1997 T-3A Firefly trainer aircraft crash in Colorado Springs, Colorado (death of Air Force Academy Cadet)

1996 T-3A Firefly trainer aircraft crash in Colorado Springs, Colorado (death of Air Force Academy Cadet)

1996 Sukhoi 31 aerobatic aircraft crash in Immokalee, Florida

1996 Sukhoi SU-29 aerobatic aircraft crash, ten nautical miles southeast of Lakefront Airport, New Orleans, Louisiana

1996 American Airlines Flight 869 crash in Puerto Rico (in multi-district litigation)





## John W. Thornton

JAMS Mediator, Arbitrator and Referee/Special Master

Retired Judge, 11th Judicial Circuit, Florida

John W. Thornton is available to conduct cases virtually. JAMS is equipped to provide virtual ADR services on a variety of online platforms, including Zoom, Microsoft Teams, WebEx, and more.

## Biography

**John W. Thornton, Jr., Retired Judge 11th Judicial Circuit**, joins JAMS after serving for more than 12 years in the civil, criminal and circuit court appellate divisions. Mr. Thornton headed the complex business litigation division for five years, including four years as the International Commercial Arbitration Division judge. He has presided over more than 100 jury trials. During his time on the bench, Mr. Thornton handled a range of complex matters involving commercial and contractual disputes, class actions, insurance, real estate, construction, health care, professional malpractice, personal injury and complex business law.

Before his appointment to the circuit court in 2007, Mr. Thornton was in private practice, where he was a founding partner of Thornton & Rothman, P.A., a Miami-based criminal and white-collar defense firm, where he represented individual and institutional clients, including the University of Miami and the Archdiocese of Miami. One of Florida's first board-certified criminal trial lawyers, he tried to verdict more than 100 jury trials. Prior to establishing the firm, Mr. Thornton served as an assistant state attorney, including as a division chief, for the Miami-Dade State Attorney's Office.

In addition to his commitment to the practice of law, Mr. Thornton has dedicated himself to bar activities and pro bono causes, among them serving as chair of the Board of Directors of Camillus Health Concern, a private, nonprofit organization that provides comprehensive health and social services to homeless people in Miami-Dade County. He was a member of the Florida Bar Board of Governors for 10 years; president of the Florida Bar Foundation, the charitable arm of The Florida Bar; president of the Dade County Bar Association; and a member of the Indigent Services Committee for the Eleventh Judicial Circuit of Florida. He has participated in countless seminars and panels, and has taught in the University of Miami School of Law's Litigation Skills programs for 25 years.

## **ADR Experience and Qualifications**

Mr. Thornton presided over hundreds of hearings and trials involving a wide variety of issues, including the following:

- **Class Action/Mass Tort:** Class certification, constitutional challenges, economic loss rule, fairness hearings, Frye and Daubert hearings and motions in limine
- **Complex Business/Commercial:** Breach of contract and indebtedness, civil forfeitures, commercial foreclosures, corporate and business governance, declaratory judgments, discovery disputes, fraud, factoring and financing, indemnification and contribution, injunctive relief, insurance claims, partnerships/joint ventures, premises liability, replevin, shareholder disputes, trade names and unfair/deceptive business practices
- **Construction:** Disputes involving construction of and damage to residential and commercial buildings
- **Employment:** Breach of employment contracts, noncompete agreements and theft of trade secrets
- **Environmental:** County ordinance and state statute enforcement, regulations and violations
- **Personal Injury/Torts:** Serious personal injury and wrongful death actions, change of venue, Fabre issues, *forum non conveniens*, libel/slander, motor vehicle and water craft negligence, negligent security, premises liability, product liability, punitive damages, sexual abuse, slip and fall, treble damages, trust litigation and wrongful death actions
- **Professional Liability:** Business, legal, and medical malpractice claims, and loss of license

hearings

- **Real Property:** Residential and commercial claims, leases, purchases and sales, commercial and residential mortgage foreclosures, commission claims, condemnation, condominium, deposit returns, homeowners' associations, landlord-tenant disputes and land use

## Representative Matters

- Fraud allegations in breach of employment contract action, resulting in \$20-million jury award
- Breach of employment contract action alleging violation of noncompete clause and theft of trade secrets, resulting in injunctive relief
- International Commercial Arbitration Division evidentiary hearings concerning whether matters filed in the division were to remain there or be ordered to arbitration pursuant to law and the terms of the contract entered into between the international parties
- International Commercial Arbitration Division hearings concerning the enforcement of an arbitral award
- Construction defect and breach of contract cases involving commercial properties and condominiums
- Class action suit involving department of transportation's failure to charge the appropriate party the proper toll for towed vehicles
- Class action by all non-anchor tenants against mall owners and managers for violation of the deceptive and unfair trade practices act relating to the rental of properties to those tenants
- Civil theft, breach of contract and deceptive and unfair trade practices action concerning the local purchase and shipment of trucks to a company in South America
- Contract, defamation, deceptive and unfair trade practices, and RICO jury trial resulting in a \$1-billion verdict in favor of plaintiff, a national homebuilder corporation, against defendant defaulted for deleting thousands of relevant documents and giving provably false testimony under oath on material issues
- In a jury case concerning piercing the corporate veil, foreign national plaintiff was awarded \$15 million in damages after failure to repay loan pursuant to a promissory note and fraudulent transfer by foreign national defendant
- Foreclosure actions involving commercial and residential properties involving various additional causes of action, defenses and counter claims
- Plaintiff's suit alleging breach of the Florida Franchise Act, Business Opportunities Act, fraudulent inducement and negligent representation concerning a territorial licensing agreement
- Medical doctors brought suit against their management company for breach of rights agreement, breach of management contract, conversion, civil theft and temporary and permanent injunctive relief

## Honors, Memberships, and Professional Activities

Completed Virtual ADR training conducted by the JAMS Institute, the training arm of JAMS.

## **Memberships and Affiliations**

- Member, Board of Governors, The Florida Bar, 1988–1998
  - Chair, 11th Circuit Pro Bono Award Selection Committee, 1996–1998
  - Executive Committee, 1994–1995, 1997–1998
  - Chair, Program Evaluation Committee, 1993–1994, 1997–1998
  - Chair, Rules Committee, 1994–1995
  - Member, Joint Commission on Delivery of Legal Services to the Indigent in Florida, 1992–1993
  - Chair, Disciplinary Procedures Committee, 1991–1993
- Officer and Member, Board of Directors, Florida Bar Foundation, 1998–2007
  - President, 2006–2007
  - Chair, Legal Services for the Poor Committee, 2004–2006
- Member, Florida Supreme Court Task Force on Judicial Branch Planning, 2004–2010
- President, Dade County Bar Association (DCBA), 2005–2006
  - Officer and Member, Board of Directors, 1987–1990, 1998–2006
  - Chair, Bicentennial Committee, 1987–1988
- Chair, Board of Directors, Camillus Health Concern, 2004–2007
  - Member, Board of Directors, 2003–2007
- Member, Indigent Services Committee, Eleventh Judicial Circuit of Florida, 2004–2007
- Member, Cuban American Bar Association (CABA), 1988–present
- Member, Florida Association for Women Lawyers (FAWL), 1988–present
- Member, Wilkie D. Ferguson, Jr. Bar Association, 2003–2007
- Member, Florida Association of Criminal Defense Lawyers, 1982–2007
  - Member, Board of Directors, Miami Chapter, 1998–2007
  - Chair, Statewide Pro Bono Committee, 2000–2003
  - CLE Seminar Lecturer, 1982–2007

## **Selected Awards and Honors**

- Recognized by Best Lawyers as one of the Best Lawyers in America for Arbitration, 2022
- Hazel Nicholson Award, University of Miami School of Law Litigation Skills Program, 2019
- *Lex Christi, Lex Amoris* Award, Miami Catholic Lawyers Guild, 2017
- University of Miami Law Alumni Association's Achievement Award, University of Miami, 2016
- Alan R. Schwartz Judicial Excellence Award, DCBA, 2015
- Ted Klein Award, FAWL, 2013
- Judge Mario Goderich Legal Ethics Award, DBCA, 2013

- Judge Steve Levine Award, Miami-Dade Justice Association, 2013
- Community Service Award, Greater Miami Jewish Federation, 2013
- Friend of Equal Justice Award, Legal Services of Greater Miami, 2012
- Eliminating Racism Empowering Women Court Care Award, YWCA, 2007
- Healing Heart Award, Camillus House, 2007
- Criminal Justice Award, DCBA, 2007
- Best of Miami Award for Non-Profit Volunteers, *Miami Today*, 2007
- President's Award, Florida Association of Criminal Defense Lawyers, 2002
- President's Award of Merit, The Florida Bar, 1998
- Iron Arrow Honor Society, University of Miami, inducted 1997
- President's Award, DCBA, 1988
- Among the highest-rated judges in all CABA and DCBA judicial polls

## Background and Education

- Circuit Court Judge, Eleventh Judicial Circuit of Florida, 2007–2020
  - Civil Division, 2011–2020
  - Complex Business Litigation Division, 2013–2018
  - International Commercial Arbitration Division Judge, 2014–2018
  - Circuit Court Appellate Division Judge, 2007–2019
  - Criminal Division, 2007–2011
    - Associate Administrative Judge, 2010–2011
- Adjunct Professor, University of Miami School of Law, 1995–present
- Thornton & Rothman, P.A., 1980–2007
  - Founding Partner, 1980–2007
- Assistant State Attorney, Miami-Dade State Attorney's Office, 1977–1980
- Law Clerk to the Hon. James W. Kehoe, Circuit Court Judge, 1976–1977
- J.D., University of Miami School of Law, 1977
  - Editorial Board, *Lawyer of the Americas International Law Journal*
  - Wig and Robe Honor Society Award of Merit
- B.A., University of Notre Dame, 1974

Available nationwide ›

## Disclaimer

This page is for general information purposes. JAMS makes no representations or warranties regarding its accuracy or completeness. Interested persons should conduct their own research regarding information on this website before deciding to use JAMS, including investigation and

research of JAMS neutrals. See More