

Florida Powerhouse: Greenberg Traurig

By Anna Sanders

Law360 (August 21, 2023, 2:02 PM EDT) -- The pandemic continues to boost Greenberg Traurig LLP's formidable presence in the firm's home state as more businesses and people flock to Florida, leading to significant litigation, transactions and deals worth millions.

Greenberg Traurig attorneys worked on Empira Group's first acquisitions in the U.S., represented the likes of Lockheed Martin and advised Miami-based biotechnology company Opko Health in a \$300 million acquisition of ModeX Therapeutics, helping to earn the firm a spot on Law360's 2023 Regional Powerhouses list as a Florida Powerhouse once again.



The firm has no official headquarters, but Greenberg Traurig began in Miami in 1967, and attorneys say the city remains its cultural home base. And while New York may have the largest Greenberg Traurig presence in the U.S., Florida is a juggernaut for the law firm.

Practitioners in Florida made up nearly a fifth of all 2,109 Greenberg Traurig attorneys in the country as of April, with some 402 working at the firm's six state offices in Miami, Fort Lauderdale, Orlando, Tallahassee, Tampa and West Palm Beach. That's 18 more attorneys in Florida than around the same time last year.

"As a result of the pandemic and all kinds of other environmental characteristics, lots of the private equity investors are now moving from New York down to Florida," shareholder and Miami trial practice co-chair Michael Kreitzer said. "We're seeing a lot of increased business and a higher level of sophistication than probably ever before, and we're blessed with a reputation that makes those kinds of clients comfortable that they can give us this work."

Greenberg Traurig's strong history with Florida is just one reason why Kreitzer and other attorneys at the firm aren't worried about BigLaw outfits expanding their presence in the Sunshine State.

"My prediction is most of those firms will fail, and they'll eventually pull up their flag and go back from whence they came," Kreitzer said. "We know the judges. We understand the process. ... For an out-of-state law firm to come in and think that they're going to have the same kind of momentum and respect is just not realistic."

Global corporate practice co-chair Alan Annex said more competition in Florida is likely to only help the firm's own bottom line.

"There's the old joke about the one lawyer who lived in town who had nothing to do until another lawyer moved to town — then they both got very busy," Annex said with a laugh.

Tampa office managing shareholder David Weinstein also pointed out that nonlocal firms are "charging out-of-state rates."

"On a purely local matter, clients are likely to go with a smaller, less expensive platform," Weinstein said. "If it's about your company reputation or financial risk, they're likely to go with Greenberg Traurig."

Litigation

The firm helped Lockheed Martin Corp. in a federal putative toxic-tort class action alleging that emissions from the aerospace manufacturer's Orlando complex contaminated nearby properties, injuring residents as a result. Although Greenberg Traurig still represents the company in related toxic tort cases, the firm successfully argued against certification of a class that would have included all landowners living within 1.75 miles of the plant, leading to voluntary dismissal with prejudice.

Miami litigators ended a yearslong federal case and got one final charge against Roger "Richard" Boncy dismissed after the Haitian and U.S. citizen was accused of conspiring to bribe senior Haitian officials.

"We work on a broad range of topics, and that's what makes Greenberg Traurig stand out as an army in Florida," Kreitzer said.

And the firm continued to handle one of the largest class actions in Florida history, essentially working as defense liaison counsel in litigation tied to the collapse of the Champlain Towers South condominium in June 2021, which killed 98 people. Greenberg Traurig helped dozens of defense and plaintiffs attorneys reach a massive \$1.02 billion settlement in Miami-Dade Circuit Court, the second-largest ever in Florida.

"The difficulty was mounting a very strong defense which was well-grounded in the science and engineering and the facts, but, at the same time, understanding that 98 people perished," said Weinstein, who worked on the case. "That was a needle that had to be very carefully threaded in terms of how we conducted ourselves in court."

Greenberg Traurig convinced a Florida appellate court to reverse a Palm Beach County trial court order denying a local paper, The Palm Beach Post, access to materials from a state grand jury investigation into deceased billionaire sex offender Jeffrey Epstein.

Prevailing in another matter, firm litigators helped a restaurant chain founded by former Miami Dolphins player Bob Brudzinski prevail against a former landlord following a six-month bench trial in Miami-Dade Circuit Court. The judge awarded Bru's Room, the chain, \$4.2 million in economic and punitive damages.

A Fort Lauderdale-based manufacturer of blood glucose testing products, Trividia Health, turned to Greenberg Traurig in a federal False Claims Act lawsuit. Firm litigators obtained a dismissal of the lawsuit with prejudice, showing Florida courts are hesitant to expand the scope of the act into regulatory enforcement.

The firm also batted down a novel legal strategy intending to invalidate a Florida noncompete agreement.

Representing All In Removal, Greenberg Traurig obtained a dismissal in a case brought by a part-owner who was challenging the validity of a noncompete he signed with the company. In dismissing the matter, a judge essentially rejected the strategy of plaintiffs seeking declaratory relief in a Florida noncompete case before they first compete, in order to gain business leverage for future work.

And firm litigators helped Florida's Charlotte County defeat a landowner's suit alleging the government's habitat conservation plan was an unlawful "taking" under the state constitution.

Real Estate and Land Use

Real estate also continues to be "a driving practice for the firm," according to shareholder and Miami real estate practice co-chair Nancy Lash.

"Since we started in Miami and worked our way, growing, throughout the state of Florida, we've worked on probably most major special projects throughout the state," Lash said. "The amount of information and history and knowledge that we have sets us apart from other law firms because we're able to quickly assess what are the problems and try to navigate around them."

In addition to helping Switzerland-based Empira Group acquire two multifamily development sites in Miami, Greenberg Traurig attorneys also advised Florida entrepreneur Mark Bellissimo in a joint venture developing a 600-acre Palm Beach golf- and equestrian-oriented residential community called The Wellington.

The firm advised developers in securing zoning approval for six mixed-use projects in Miami with more than 1,800 residential units. And Greenberg Traurig got zoning approval from city officials for a \$1 billion Major League Soccer stadium complex in the city while serving as lead counsel to Miami Freedom Park and Inter Miami CF owners Jorge Mas, Jose Mas and David Beckham.

The firm worked on the second-largest single-asset multifamily transaction in South Florida last year, representing a joint venture between NR International and 54 Madison Partners in selling the 495-unit Gables Station mixed-use development for \$430 million.

Firm land use practice co-chair Iris Escarra said the firm has seen a "significant" amount of new work coming in. As people have moved to Florida in the wake of the COVID-19 pandemic, the firm is working on more large-scale single-family projects.

"We've also been working on new office buildings and conversion of spaces," said Escarra, who is a Miami shareholder.

The firm counseled Boston-based Rockpoint in selling a Miami office tower for \$287 million — the highest price for a South Florida office tower since 2016 — as well as a \$216 million sale of shopping center Mary Brickell Village in the city.

Greenberg Traurig's real estate and land use work included helping Denver's Apartment Investment and Management Co. in purchasing three properties in Fort Lauderdale's Flagler Village for \$100 million for a mixed-use development with more than a thousand units. The firm also represented Apartment Income REIT in buying three entities: a 350-unit apartment project in Fort Lauderdale for \$173 million, a 296-unit apartment project in Miami for \$210 million and a 495-unit Southgate Towers project in Miami Beach for \$298 million.

Corporate and Insurance

The firm's corporate attorneys also handled numerous high-profile deals, including the \$117 million acquisition of the naming rights for Miami Heat's home arena by local software company Kaseya. The arena will be dubbed Kaseya Center through 2040.

Firm attorneys also represented Miami-based global logistics provider EFL in expanding through two acquisitions totaling \$109 million. And Greenberg Traurig advised Phoenix Tower International, a Boca Raton-based wireless infrastructure provider, in a \$930 million acquisition of up to 3,800 telecommunications towers, also advising the company in a \$2 billion debt restructuring.

Greenberg Traurig also represented Miami special-purpose acquisition company DPCM in its merger with quantum computing provider D-Wave Systems, with an initial market capitalization of \$1.6 billion. The firm worked on Brightline's intercity passenger rail, serving as both bond and company counsel in connection with the issuance of \$985 million in tax-exempt revenue bonds to finance completion of the project from Miami to Orlando and development of a proposed Tampa expansion.

While other law firms come into Florida and handle equally sophisticated deals and cases, Miami co-managing shareholder Jaret Davis said Greenberg Traurig is the only one with a rich history of experience in the state. That makes it more desirable for clients — and legal talent.

"It's a welcome development," said Davis, who is also on the firm's global executive committee. "Historically, at least in the transactional area, we tend to get most of our attorneys from other jurisdictions. Now there's a robust ecosystem here of corporate law firms."

And Greenberg Traurig's insurance practice helped lawmakers respond to last year's catastrophic Hurricane Ian, aiding them in shaping reforms to Florida's insurance regulations aimed at reducing claims-related litigation faced by insurers. The firm also advised insurtech startup Slide Insurance in acquiring nearly 250,000 policies from insolvent companies, helping bring liquidity to the market.

Fred Karlinsky, co-chair of the global insurance regulatory and transactions practice group, said that for insurance, Florida continues to be "the most complicated market not only in the United States, but in the world, because of our population and catastrophe risk."

"As the population grows and as climate and other things become more in focus, that's only going to continue to be true," Karlinsky said.

And looking ahead, attorneys are bullish on the state's position as a hemispheric hub because of the variety of capital sources and increasing population.

"By having all of these different sources of capital, all of these individuals coming here, it provides a natural hedge," Davis said. "Whereas other jurisdictions might be experiencing more of an economic slowdown, South Florida — in terms of real estate, in terms of corporate, in terms of most of our industry verticals — stays pretty active."

--Editing by Linda Voorhis.