

## **EXPERIENCE**

Over 25 years of jury trial experience representing businesses, private citizens, and governmental entities of various legal issues primarily related to business disputes and construction of land developments throughout north Florida. Practice areas include contract litigation, environmental law, planning and zoning, construction litigation, administrative law, and government law.

## **EMPLOYMENT**

### **City of Gainesville, Florida**

Code Enforcement Special Magistrate

February 2016 - Present

Serve as the Special Magistrate pursuant to Chapter 162, Florida Statutes, to hear all matters brought by the City of Gainesville's Code Enforcement Office.

### **Executive Board Member, North Florida Regional Hospital Hospital Corporation of America Gainesville, Florida**

January 2016 - Present

Serve on the executive board to consider the reports of the Chief of Staff, Chief Medical Officer, Chief Financial Officer, Chief Executive Officer, Chief Nursing Officer, and quality control.

### **Scruggs & Carmichael, P.A. Gainesville, Florida**

July 1996 - Present

Civil Litigation Attorney - Partner

Practice focused on complex jury trials, contract disputes, land development, employment, and tax issues, assisting clients with debt collection, and land development from planning to contract disputes.

### **Florida Department of Environmental Protection Tallahassee, Florida**

July 1992 - July 1996

Assistant General Counsel - Air and Waste Section

Litigation Specialist that handled various issues related to employment, hazardous waste, air pollution, petroleum contamination, solid waste, and stormwater permitting.

## **Public Defender for the Florida 8<sup>th</sup> Judicial Circuit**

July 1989-July 1991

Assistant Public Defender

Represented indigent citizens charged with crimes.

## **EDUCATION**

**Vermont Law School**, South Royalton, Vermont

M.S.L., Master of Environmental Law with Honors, 1992

**University of Florida**, Levin College of Law

Juris Doctor, 1988

**University of Florida**, College of Liberal Arts and Sciences

Bachelor of Arts, 1983

## **ACKNOWLEDGMENTS**

Mentioned as the 39<sup>th</sup> largest verdict in the State of Florida for 2016 - \$4.16 million  
Campus Edge Condominium Association, Inc. v. Arlington Properties, Inc.

Mentioned as one of the top 100 verdicts in the State of Florida for 2007 - \$2.56 million  
Matinnaz Construction, Inc. v. Diamond Regal Development, Inc.

Outstanding Pro Bono Service Award for 2017 from the Supreme Court of Florida

## **REPRESENTATIVE SAMPLE OF CASES**

Campus Edge Condominium Association, Inc. v. Arlington Properties, Inc., Case No. 2012-CA-94 - Represented the Condominium Association against the developer for fraud. After a two week jury trial obtained a verdict for \$3.66 million in compensatory damages and \$500,000 in punitive damages. The case is currently pending on appeal.

City of Alachua, Florida v. Myers Brothers, Inc. and Florida Department of Environmental Protection, DOAH Case No. 17-0590 - Representing an environmental permit applicant to allow land application of septage.

State of Florida Department of Revenue v. Rogue Gator Bucks, LLC., FDOR Case Number 200196354 - Successfully represented restaurant in regards to sales tax audit, federal tax audits, and workers compensation audits.

Whitney Aretz v. Chad Douglas, U.S. District Court Middle District of Florida Case No. 12-cv-246 - Successfully represented author of trilogy of books in a copyright infringement case against claim of joint authorship.

Natures Landing Condominium Association, Inc. V. Natures Landing Management Company, Case No. 2010-CA-444 - Successfully represented the condominium association against the former management company to enjoin the use of the condominium name on the internet and in advertisements.

Halcyon Manufacturing, Inc. V. Barry Dale Miller, Case No. 2007-CA-1072 - Successfully represented business against former employee for civil theft and in subsequent collection actions.

The Tonnelier Construction Group v. Ronald J. Shema, Case No. 09-4820  
Fla. 1<sup>st</sup> DCA 2010 - Successfully upheld lower court ruling in a reported case in which the Appellate Court found against a fraudulent transfer of assets by appellee.

Matinnaz Construction, Inc. v. Diamond Regal Development, Inc., Case No.: 01-06-CA-1707 - Successfully represented the contractor against the developer for unpaid construction costs and received a jury verdict of \$2.56 million in damages. Reversed on appeal. On retrial, received a jury verdict for \$400,000 and awarded all attorney fees for trial and appeal.

L. Brant Blessing v. Town of Horseshoe Beach, Case No. 09-3116  
Fla. 1<sup>st</sup> DCA 2009 - Successfully challenged the wrongful construction of a boathouse that violated the Town of Horseshoe Beach's building code. The boathouse was ordered to come into compliance with the applicable codes, and the Appellant agreed to pay the fees for the litigation.

Joe L. Blanchard v. D. Ray Harrison, Jr., Gilchrist County Property Appraiser, Case No. 03-4775  
Fla. 1<sup>st</sup> DCA 2003 - Unsuccessfully challenged in Circuit Court and on appeal, the Property Appraiser's denial of homestead exemption for a river front home in Gilchrist County.

Paul Florence and Joan Florence v. Johnson Fletcher Insurance, Inc., Case No. 2003-CA-1990 - Successfully obtained a judgement for homeowners in claim for fire insurance against agent for professional negligence due to the failure to properly purchase policy.

Ronnie Taylor Construction v. The City of Cedar Key, Case No. 98-4657  
Fla. 1<sup>st</sup> DCA 1999 - Challenged the City's revocation of a building permit for the construction of an office building in Cedar Key. The case was resolved amicably between the parties.

Specialty Employee Leasing v. Jerry M. Rowe, Case No. 98-204  
Fla. 1<sup>st</sup> DCA 1998 - Successfully defended an appeal of an unemployment compensation claim.

Watson Construction Company v. Florida Department of Transportation, Case No. 98-4101  
Fla. 1<sup>st</sup> DCA 1998 - Appeal of the denial of a declaratory statement concerning of use of weight restricted highways in Alachua County.

Doris Hellerman v. Francis Akins, Levy County Property Appraiser, Case No. 98-2236  
Fla. 1<sup>st</sup> DCA 1998 - Unsuccessfully challenged the increase of property taxes for approximately 180 residents of Cedar Key, Florida against the property appraiser and the Florida Department of Revenue. The case, in part, eventually lead to the passage of the Save Our Homestead amendment to the Florida Constitution.

Florida Rock Industries v. Haile Community Association v. Florida Department of Environmental Protection, Case No. 97-47 - Fla. 1<sup>st</sup> DCA 1997 - Served as lead counsel for the Florida Department of Environmental Protection concerning a construction permit for a \$90 million cement factory in Alachua County for a month long formal administrative hearing. Handled all litigation issues on behalf of the Department including air construction permit, stormwater permit, well permits, and solid waste permits.

Priscilla Harris v. Carolina Solite, Case No. 94-1759  
Fla. 1<sup>st</sup> DCA 1996 - The FDEP's intent to issue an air permit for incineration of hazardous waste was sustained on appeal after a three week formal administrative hearing.

Florida Department of Environmental Protection v. Public Health Trust of Dade County, D/B/A Jackson Memorial Hospital, DOAH Case No. 87-5348 - Represented the FDEP in a permit dispute to allow Jackson Memorial Hospital to incinerate contaminated animal cadavers that had been injected with radioactive isotopes for medical research.

Basic Energy Corporation v. Hamilton County, Case No. 96-766  
Fla. 1<sup>st</sup> DCA 1996 - The FDEP's intent to deny an air permit for the incineration of medical waste was sustained on appeal.

Browning-Ferris Industries v. Florida Department of Environmental Protection, Case No. 94-414  
Fla. 1<sup>st</sup> DCA 1995 - The denial of the Appellant's application for financial assistance for petroleum remediation was upheld on appeal.

Suddath Van Lines v. Florida Department of Environmental Protection, Case No.93-2604  
Fla. 1<sup>st</sup> DCA 1995 - In a reported case, the denial of the Appellant's application for financial assistance for petroleum remediation was upheld on appeal.

## **PERSONAL INTEREST**

Enjoy outdoor activities including tennis, camping, canoeing, and sailing. Enjoy spending time with my family and traveling. Avid supporter of music and theater.