



BOYD & JENERETTE P.A.

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SPOTLIGHT ON THE

Construction Law Practice

STATEWIDE LEGAL REPRESENTATION IN FLORIDA AND GEORGIA

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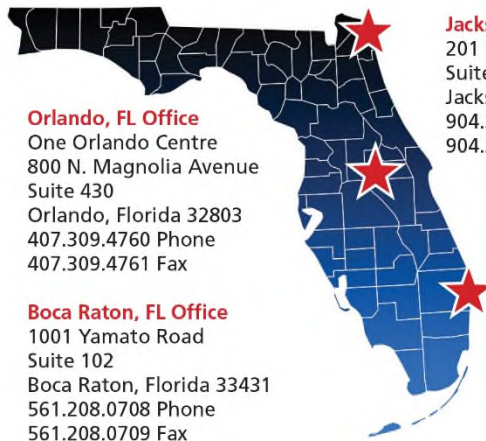
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About Boyd & Jenerette, P.A.

Boyd & Jenerette, P.A. is a civil litigation law firm with offices in Florida and Georgia. The Firm's practice areas include civil matters involving insurance defense, construction defect claims, workers' compensation, Longshore and Defense Base Act claims, Admiralty and Jones Act claims, transportation and trucking, commercial law, business litigation, professional liability, coverage and bad faith and mass torts. The Firm is also experienced in handling civil appeals in state and federal courts, and offers alternative dispute resolution techniques such as arbitration or mediation.

The Firm maintains a commitment to excellence in advocacy when pursuing client's goals through pre-suit resolution, mediation, arbitration or trial. Our team of experienced attorneys works to help insurance carriers, their insureds, self-insured entities and others manage risk and reduce exposure through training, counsel and an aggressive, cost effective defense litigation strategy.

Boyd & Jenerette, P.A. strives to build long-term client relationships through outstanding service, which is reflected in part through attorney credentials and peer recognition. Six of the Firm's attorneys are Board Certified by The Florida Bar, including one in the area of Civil Trial, one in Appellate Law, two in Construction Law, and three in Workers' Compensation.

The Firm is AV® Preeminent Peer Review Rated by Martindale-Hubbell, and 11 of the Firm's attorneys are also AV® Peer Review Rated at an individual level.

Boyd & Jenerette, P.A. is recognized in the 2018 "Best Law Firms" list by *U.S. News & World Report* and Best Lawyers® in the following two areas: Tier 2, Jacksonville, Personal Injury Litigation – Defendants, and Insurance Law. The Firm is honored to have been recognized in Best Lawyers "Best Law Firms" rankings for eight consecutive years (2011 – 2018).

Boyd & Jenerette, P.A. was founded by Charles T. Boyd, Jr. and Noah H. Jenerette, Jr. in 1952. It maintains offices in Jacksonville, Coconut Creek and Orlando, Florida, and Savannah, Georgia. Details online at <http://www.boydjen.com>.



About the Construction Law Group

The Boyd & Jenerette Construction Law Group offers clients a full-service construction law practice throughout Florida. The firm understands the specialized needs of those in the construction industry, from pre-suit intervention when litigation can be avoided, to a full trial when needed.

Two attorneys in the Construction Law Group—Michael J. Childers and Beth-Ann Schulman—are Board Certified by The Florida Bar in Construction Law. They are experts in residential, commercial and roadway construction law matters, from pre-suit through trial or arbitration.

Litigation avoidance is a priority for Boyd & Jenerette, so the firm works closely with owners, contractors, design professionals, developers, and suppliers on a day-to-day basis to support a range of business and legal needs, including but not limited to:

- Contract drafting and review
- Project delays, both during and after construction
- Insurance coverage disputes
- Licensure complaints
- Liens and bonds
- Surety work

If insurance coverage is not clear given the unique circumstances of a case, the firm can assist with insurance coverage opinions and declaratory actions.

When a dispute arises on a construction project, Boyd & Jenerette attorneys are experienced in negotiating or litigating construction claims involving:

- Breach of contract
- Building product liability
- Construction defects
- Delay and impact claims
- Personal injury
- Professional liability
- Property damage
- Wrongful death

The Construction Law Group works hand-in-hand with the Workers' Compensation and Employment Group to assist clients with employment issues and stop work orders. Several attorneys concentrate in professional liability defense of contractors and design professionals.

The Construction Law Group looks forward to assisting you and your company with all of your construction-related needs. Contact any one of the construction attorneys for further information.

MEET OUR CONSTRUCTION LAW GROUP ATTORNEYS



Beth-Ann Schulman chairs the firm's Construction Law Group. She is Board Certified in Construction Law by The Florida Bar. As such, she is an expert in construction law matters involving construction defects, professional liability, breach of contract, delays, liens and insurance coverage.

Ms. Schulman represents general contractors, subcontractors, developers, and design professionals in all areas of construction law in both a litigation and transactional capacity.

She started her legal construction experience with Moye, O'Brien, O'Rourke, Pickert & Martin, a nationally recognized construction law firm. At Moye, O'Brien, Ms. Schulman represented owners and contractors primarily related to theme park construction, horizontal heavy civil construction projects, Florida lien claims and the representation of design professionals. Additionally, she is experienced in drafting delay claims, contracts, subcontracts and various other transactions relating to the construction industry.

In 2006, Ms. Schulman started Travelers' Florida staff counsel construction defect litigation practice. At Travelers, Ms. Schulman was the product line lead for the state of Florida and served on the national construction defect leadership board. For four years prior to joining Boyd & Jenerette, Ms. Schulman was in private practice serving the construction industry.

Ms. Schulman is also a Florida Supreme Court Certified Civil Mediator, a Florida Approved Arbitrator, and a Certified Public Accountant. She worked as an accountant in the construction industry prior to becoming a lawyer.

Admissions

Florida, 1997

District of Columbia, 1999

U.S. District Court, Northern District of Florida, 2001

U.S. District Court, Middle District of Florida, 1997

U.S. District Court, Southern District of Florida, 2001

Awards and Recognition

AV[®] Preeminent Peer Review Rated by Martindale-Hubbell

Listed in *Florida Trend* Magazine, Legal Elite, 2013-2014

Board Certified in Construction Law by The Florida Bar, 2014 to present

Memberships

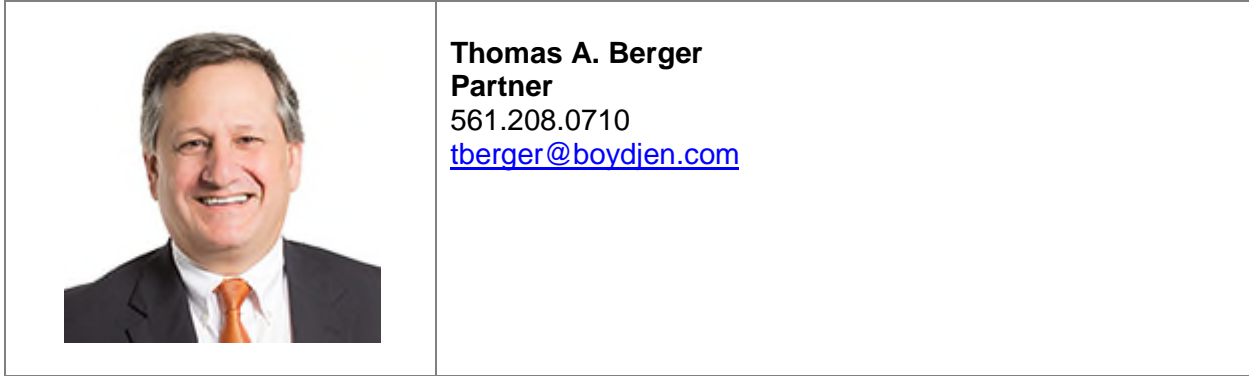
The Florida Bar (Construction Law Committee, Construction Insurance and Surety Committee)
The District of Columbia Bar
Seminole County Bar Association
Construction Financial Management Association (Education Steering Committee)

Professional Licenses

Certified Public Accountant (CPA), Florida
Florida Supreme Court Certified Circuit Civil Mediator

Education

J.D., with honors, Stetson University College of Law, Gulfport, FL, 1996
M.S., Taxation, College of Business Administration, University of Central Florida,
Orlando, FL, 2001
B.S., *cum laude*, Accounting, University of Central Florida, 1993



Tom Berger maintains a general practice that provides him with a broad range of legal insight into claims disputes involving Florida insurers and their insureds. The types of cases he handles include:

- Slip and falls
- Auto personal injury defense
- Product liability
- Construction defects
- Homeowner association and condominium disputes

Tom is an experienced trial attorney who has tried seven cases to verdict in the past five years. His trial experience is in state court and he has mediated settlements from Fort Pierce to Key West, including the counties of St. Lucie, Martin, Palm Beach, Broward, Miami-Dade and Monroe. He has also argued appeals before the Florida Fourth District Court of Appeals.

His work in auto cases includes the defense of bodily injury and uninsured motorist claims. His experience with slip and fall injury cases includes a range of premises situations in retail, restaurant or other business properties. Product liability claims handled by Tom include power saws and other industrial or construction equipment.

In the area of construction defects, he represents general contractors and subcontractors in all aspects of construction from watertight issues to roofing, railings, doors and housing substructures. Many of the disputes he has handled involve high-end residential projects, including one property valued at \$40 million.

His HOA case experience includes the defense of board members under errors and omissions (E&O) policies against allegations of fraud, selective enforcement or breach of fiduciary duty.

Tom serves as a Community Representative at Large on the Construction Oversight Review Committee (CORC) for the School District of Palm Beach County, a voluntary position he has held since 2005.

CORC is a citizen-based committee created to assist the School Board in building quality schools on time and within budget. The committee meets monthly to review all aspects of construction at elementary, middle and high schools across Palm Beach County. CORC monitors activities including land purchases and sales, school building construction and maintenance, classroom design, and student transportation.

Tom also served on the West Boca Community Council, an umbrella organization of more than 100 homeowner and condominium member associations, from 2002 to 2014. This voluntary civic organization helped the unincorporated areas of West Boca present matters of public concern to the County Commissioner for consideration.

He has three children and is a native of Cleveland, Ohio.

Admissions

Florida, 1989

U.S. District Court, Southern District of Florida, 2001

U.S. District Court, Middle District of Florida, 2011

Memberships

American Board of Trial Advocates, 2017

The Florida Bar

Seminars

Ethical Traps for Adjusters, Boyd & Jenerette Claims College, May, 2016

Responding to Time Demands, Boyd & Jenerette Claims College, May, 2016

Defending “Low Impact” Accidents: Key Issues, March, 2016

Motions to Dismiss for Fraud – What You Need to Know, July, 2014

Five-Hour Law & Ethics Update for Adjusters, July, 2014

Florida No Fault Law Update, November, 2013

Education

J.D., University of Florida College of Law, Gainesville, FL, 1989

B.A., History, Tulane University, New Orleans, LA, 1986

Pine Crest Prep School, Fort Lauderdale, FL



Mr. Childers is Board Certified in Construction Law by the Florida Bar and is AV[®] Preeminent Peer Review Rated by Martindale-Hubbell. He is an expert in handling construction-related claims involving defects, breach of contract or warranty, professional negligence, delay, liens / bonds, product defects and insurance coverage. He has trial experience involving large, complex construction cases.

He represents owners, contractors, design professionals, subcontractors in various trades, material suppliers, and manufacturers in construction disputes, and also assists clients in transactional work including drafting and negotiating construction contracts.

Admissions

Florida, 2005

U.S. District Court, Northern District of Florida, 2006

U.S. District Court, Middle District of Florida, 2005

Awards and Recognition

Board Certified in Construction Law by The Florida Bar

AV[®] Preeminent Peer Review Rated by Martindale-Hubbell

Memberships

The Florida Bar, Construction Law Committee, Jury Instructions Subcommittee (2014)

Jacksonville Bar Association, Construction Law Section, Vice President

Florida Defense Lawyers Association

Jacksonville Association of Defense Counsel

Associated Builders and Contractors, First Coast Chapter, ABC Education Committee

Seminars & Classes

- How the World Has Changed, or Has it? A Review of *Carithers v. Mid-Continent Co.*, 2015, 2016.
- Construction Law, Florida Coastal School of Law, Spring 2014 and 2016
 - What is Construction Law?
 - Construction Licenses and Certifications
 - Construction Bids
 - Construction Contracts and Terms
 - Nonperformance, Damages, and Defenses
 - Building Permits and Codes
 - Property Damage and Personal Injury

- Remedies
- Extras, Modifications, and Delays
- Construction Liens
- Construction Bonds (Payment and Performance)
- Construction Litigation
- Workers Compensation and Liability Insurance
- Introduction to Construction Defect & Delay Claims, 2015
- Builders Risks, 2013
- Construction Defects: Chapter 558 Notice and Opportunity to Repair Damages in Construction Defect Lawsuit, June 2012

Education

J.D., *magna cum laude*, Thomas Cooley Law School, 2005

- Emphasis on Business Transactions

B.A., *magna cum laude*, Political Science and History, Florida State University, 2002



Randy Dow is a Partner in the Firm's South Florida office, located in Boca Raton. His practice includes construction law, with an emphasis on delay and defect claims arising out of residential, commercial and industrial projects. In addition, a significant portion of Mr. Dow's practice is dedicated to the defense of product liability and general liability claims relating to construction equipment, power tools and construction vehicles.

Mr. Dow serves as statewide litigation counsel for various national and international corporations in the construction, equipment rental and property management industries. He has litigated numerous commercial and coverage claims since joining The Florida Bar in 1997.

He also has significant experience in automobile liability, including claims related to tractor-trailers and other commercial vehicles.

Mr. Dow was born in Bangor, Maine, and lived throughout the country during his father's 25-year career in the U.S. Navy. He moved to South Florida after graduating from law school in 1997.

Representative Cases*

Boyd & Jenerette's insurance coverage team obtained summary judgment in late 2016 on behalf of a major insurance carrier in an action for declaratory relief. The action was brought by attorneys Jane Anderson and Randy Dow in a Florida federal district court. The central issue in the coverage action was whether a named insured on an umbrella policy could qualify for "family member" coverage in connection with a fatal automobile accident.

The Boyd & Jenerette bad faith trial team successfully defended a major insurance company in a Northern Florida county circuit court against allegations of bad faith in handling a property claim involving damage to an expensive automobile. Attorneys Jane Anderson and Randy Dow tried the case to a jury over seven days in late 2016.

**Disclaimer: Results may not be typical. You may not have as beneficial a result.*

Admissions

Florida, 1997

U.S. District Court, Southern District of Florida, 1998

U.S. District Court, Middle District of Florida, 1998

U.S. District Court, Northern District of Florida, 1998

U.S. Court of Appeals, Eleventh Circuit, 1999

U.S. Bankruptcy Court, Southern District of Florida, 2000

Awards and Recognition

AV® Preeminent Peer Review Rated by Martindale-Hubbell

Listed in *South Florida Legal Guide*, Top Civil Litigators, 2011-2017

Listed in *Florida Trend*, Legal Elite, 2013

Listed in Florida Super Lawyers under Personal Injury – Products: Defense, 2017

Listed in Florida Super Lawyers “Rising Stars,” 2009-2011

Memberships

Florida Bar Association

- Real Property, Probate and Trust Law Section
- Construction Law Committee – Chair, CLE Subcommittee
- Insurance and Surety Committee

Construction Association of South Florida

Seminars

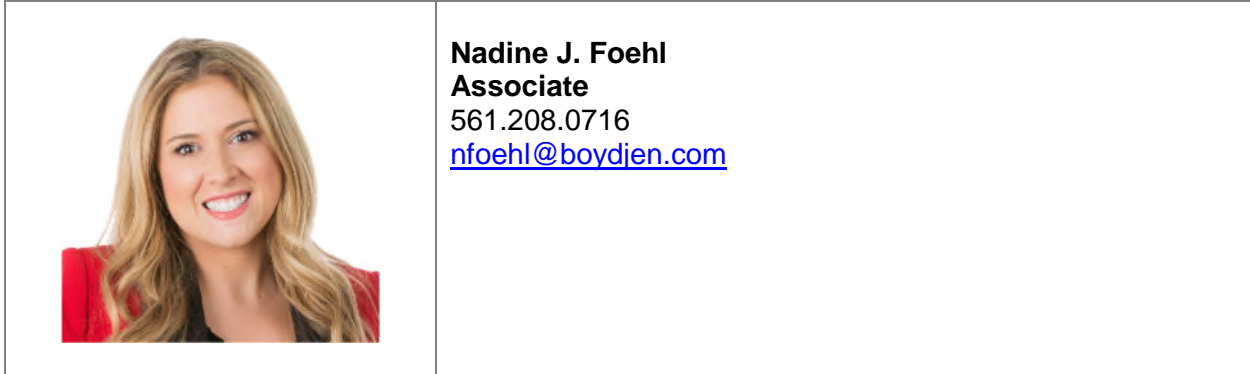
- Changes to Florida Statute 558, Evolutions of Proposal for Settlement and Single Family Home Litigation, CEU Seminar, June 2017
- BIM & Presenting Delay Claims, The Florida Bar Construction Law Institute, March 2017
- Circling the Wagons - When Schedule Risk Becomes Litigation Risk, Construction CPM Conference, January 2017
- Arbitration Clauses in Construction Contracts, CLE to The Florida Bar Construction Law Committee, August 2016
- Tricky Legal Issues, Boyd & Jenerette Claims College, May, 2016.
- Florida Insurance and Construction Litigation, Boyd & Jenerette Claims College, May, 2016.
- Roadway Construction Claims - The Complex and Potentially Costly Intersection of Construction and Auto Liability, 2016.
- Construction Delay and Impact Claims: Proper Use of Graphic Presentations Incorporating Building Information Models and 4D Scheduling, Construction CPM Conference, 2016.
- Claims Handling Strategies for Confined Space and Trench Related Incidents, 2008

Education

J.D., *cum laude*, Boston College Law School, 1997

- Finalist, Boston College Moot Court Competition
- Member, National Moot Court Team
- Winner, Outstanding Second Year Oral Advocate

B.A., *magna cum laude*, Stonehill College, 1994



Nadine J. Foehl is an Associate of Boyd & Jenerette, P.A. practicing in the Boca Raton office. Ms. Foehl handles claims related to personal injury defense, product liability, construction defects, and general negligence claims.

Prior to joining the firm, Nadine represented clients in a variety of matters including contract disputes, fraud claims and actions under Florida's Private Whistleblower statute. In law school, Ms. Foehl was the technical editor of the ILSA Journal of International and Comparative Law.

Admissions

Florida, 2015

U.S. District Court, Southern District of Florida, 2016

Memberships

The Florida Bar

The Broward Bar Association

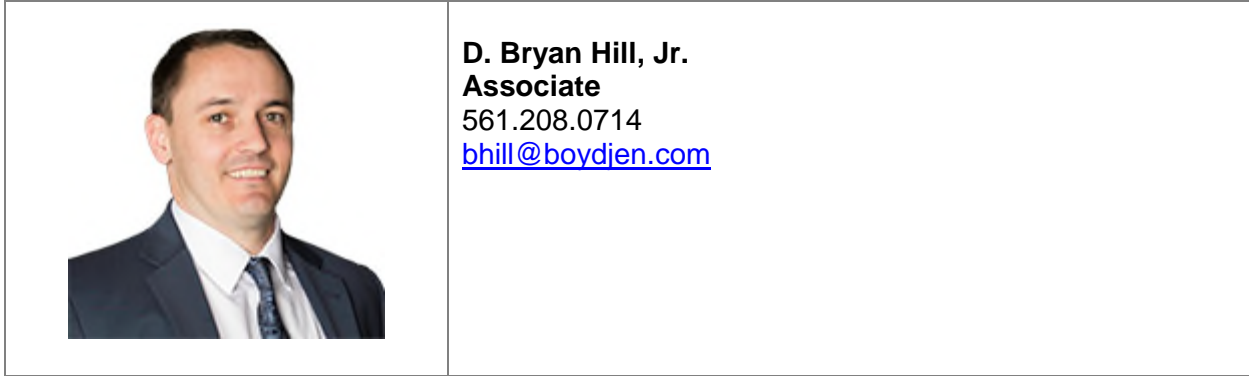
Education

J.D., cum laude, Nova Southeastern University, Shepard Broad Law Center, 2015

- ILSA Journal of International and Comparative Law
- Associate Technical Editor
- Book Award for Highest Grade in Wills

B.S., Political Science, University of Central Florida, 2011

- Minor in Business Administration



Bryan Hill is an Associate in the firm's Boca Raton office. His practice includes a broad range of legal issues including construction delay and defect claims, general liability claims relating to construction equipment/vehicles and general insurance defense involving slip and falls and auto personal injury.

After law school, Mr. Hill moved to Washington, D.C. to work for U.S. Customs and Border Protection, where he concentrated on international trade policy. He also worked as the environmental compliance manager for TAMKO Building Products, Inc. in Frederick, Maryland. After returning to his home state of Florida, Mr. Hill worked as a judicial staff attorney for the Fourth Judicial Circuit in Duval County.

Prior to his legal career, Mr. Hill served four years as an infantry officer in the U.S. Army (1st Infantry Division). He left the service with a rank of Captain.

From 2006 to 2007, Mr. Hill was the officer-in-charge of an overseas military training camp. He led a team of U.S. Army soldiers in training a foreign military force of approximately 150 personnel in small unit leadership and counter-terrorism tactics.

Mr. Hill's other assignments included rifle platoon leader, scout platoon leader, and rifle company executive officer.

During his four years in the U.S. Army, Mr. Hill earned several commendations including:

- Joint Service Commendation Medal
- Two Army Commendation Medals
- Two Army Achievement Medals

Admissions

Florida, 2014

Maryland, 2014 (Inactive)

U.S. District Court, Northern, Middle and Southern Districts of Florida, 2016

Memberships

The Florida Bar

The Maryland Bar

American Bar Association

Florida Trial Court Staff Attorney Association, Co-Chair,
Strategic Planning Committee (2015-2016)

Education

J.D., *cum laude*, Stetson University College of Law, Gulfport, FL, 2010

- Member, Student Leadership Development Committee
- Member, Honors Program. Graduated in Top 8% of law class

University of Tennessee, Haslam College of Business, Data Acquisition and Strategy Course, 2012

University of Michigan, Ross School of Business, Managing High Powered Teams Course, 2013

Lean Six Sigma Green Belt, 2013

B.A., Auburn University, Auburn, AL, 2003

- Cadet Battalion Commander, Army ROTC
- Captain, Ranger Challenge Team, Army ROTC



Ryan Knight is a Senior Associate at Boyd & Jenerette, P.A. practicing in the Orlando office. His practice focuses on the representation of general contractors, subcontractors, developers, and design professionals in all areas of construction law and litigation.

Prior to joining the Firm, Mr. Knight worked as staff counsel for an industry leading insurance company where he represented subcontractors and developers in construction defect litigation, business owners in general/premises liability litigation and insureds in auto liability defense litigation.

Mr. Knight began his legal career in the 7th Circuit Public Defender's office where he tried approximately fifteen cases to verdict.

Outside of work he enjoys spending time with his two children, Finn and Sailor, and his wife, Ashley.

Admissions

Florida, 2011

Memberships

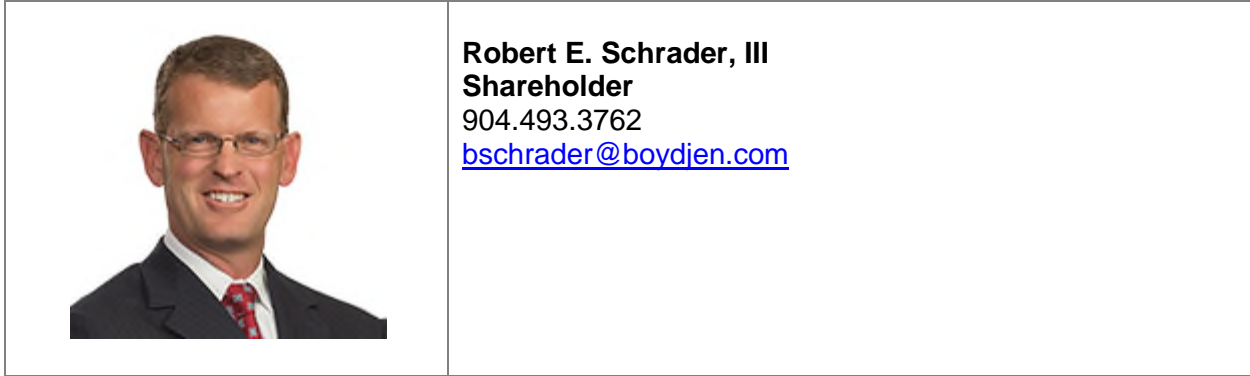
The Florida Bar

American Bar Association

Education

J.D., Florida Coastal School of Law, Jacksonville, FL, 2011

B.B.A., Finance, University of North Florida, Jacksonville, FL, 2007



Robert Schrader concentrates his practice in the areas of general litigation and trial advocacy. He serves a diverse client base and maintains an active caseload throughout Florida in matters involving premises liability, general liability, automobile personal injury defense, trucking liability, construction defects, and products liability. Mr. Schrader has tried numerous jury and non-jury trials and is committed to pursuing effective results for his clients.

Mr. Schrader grew up in Texas and joined the firm in 1994 after graduating from law school.

Admissions

Florida, 1994

U.S. District Court, Middle (1994) and Northern (2005) Districts of Florida

Awards and Recognition

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Memberships

- The Florida Bar
- The Jacksonville Bar Association
- Jacksonville Assn. of Defense Counsel
- The Jacksonville Claims Association
- The Defense Research Institute
- Chester Bedell Inn of Court

Seminars

- “Tricky Legal Issues,” Boyd & Jenerette Claims College, May, 2016
- “Law and Ethics Update” 2015
- “Defending “Low Impact” Accidents: Key Issues for Claims Professionals” 2015
- “Pain Management- Impact on Risk Management,” 2011
- “The Slavin Doctrine—The Contractors Defense,” 2010
- “The Independent Medical Examination- Where Do We Stand?” Florida Defense Lawyers Association, 2008

Education

J.D., South Texas College of Law (now Houston College of Law), Houston, TX, 1994.

Order of the Lytae

B.A., Rice University, Houston, TX, 1991. Quarterback, Rice University Football Team.