

## ELIZABETH B. FERGUSON

SHAREHOLDER

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### AREAS OF PRACTICE

Architectural, Engineering &  
Construction Defect Litigation  
Miscellaneous Professional  
Liability

### CONTACT INFO

**(904) 358-4230**  
**[EBFerguson@mdwcg.com](mailto:EBFerguson@mdwcg.com)**

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Bank of America Tower  
50 N. Laura Street, Suite  
1900  
Jacksonville, FL 32202

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### ADMISSIONS

Florida  
2002

U.S. District Court Middle  
District of Florida  
2005

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### EDUCATION

Indiana University Maurer  
School of Law (J.D., 2002)

College of Wooster (B.A.,  
1999)

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## **HONORS & AWARDS**

AV® Preeminent™ by  
Martindale-Hubbell®

The Best Lawyers in  
America®, Litigation -  
Construction  
2022-2026

Florida Super Lawyers  
2018-2025

Florida Trend, Legal Elite,  
2023 Notable Women  
Leaders in Law

Florida Super Lawyers  
Rising Star-Construction  
Litigation  
2009-2017

Florida Trend Magazine,  
Legal Elite, Construction  
Law  
2014, 2018, 2020, 2021

Florida Trend Magazine,  
Up and Comer  
2008, 2010-2013

Ultimate Attorney,  
Jacksonville Business  
Journal, Construction Law  
2019

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## **ASSOCIATIONS & MEMBERSHIPS**

American Bar Association,  
Forum on the  
Construction Industry,  
2009 – 2019

Associated Builders and  
Contractors

Chester Bedell Inn of  
Court

Florida Association of  
Women Lawyers

The Florida Bar, Board  
Certified in Construction  
Law, 2009- Present

The Florida Bar,  
Construction Law  
Committee, Co-Vice  
Chair; 2021-2022

The Florida Bar,  
Construction Law  
Committee, Pro Bono  
Chair, 2022 - 2023

The Florida Bar,  
Construction Law Review  
Course Steering  
Committee, Co-Chair,  
2020-2023

The Florida Bar  
Construction Law  
Certification Committee,  
2023-2024

The Florida Bar,  
Grievance Committee 4A,

Vice-Chair, 2017-2020

The Florida Bar Judicial  
Nominating Procedures  
Committee, 2021-2024

The Florida Bar, RPPTL  
Section, Executive  
Committee Member,  
2018-Present

Florida Board of  
Professional Engineers,  
Former Board Member

Jacksonville Bar  
Association, President:  
2019-2020; Board of  
Governors: 2012-2020;  
Construction Law Section:  
2011-Present

Phi Delta Phi, Wilkie Inn

## OVERVIEW

Elizabeth is a member of the firm's Professional Liability Department. Her practice focuses on the defense of owners, contractors, material suppliers, developers, and design professionals (architects, engineers and surveyors) against claims of liability, breach of contract, construction defect, design defect, delay, liens/bonds, insurance coverage issues, and licensure issues. She also provides transactional support for her construction clients, including contract drafting and review. Elizabeth has been Board Certified in Construction Law by The Florida Bar since 2009 and is AV rated by Martindale-Hubbell. She served on the Florida Board of Professional Engineers, appointed by Gov. Rick Scott, from 2015-2018.

Elizabeth is a Construction Panel Arbitrator for the American Arbitration Association, has served as a professor of construction law, and is a frequent speaker on legal and construction industry issues. In 2019, she was selected as an "Ultimate Attorney" in the area of construction law by the *Jacksonville Business Journal*. As a Florida Board Certified expert in construction law, her typical matters include residential, commercial and roadway construction matters, from pre-suit through trial and arbitration. She also defends clients before professional licensing boards related to disciplinary and licensure issues.

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## YEAR JOINED

2017

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## CERTIFICATIONS

Board Certified Specialist,  
Construction Law, The  
Florida Bar

## THOUGHT LEADERSHIP

### **98 Marshall Dennehey Attorneys Recognized in the 2026 Editions of The Best Lawyers in America® and the Best Lawyers: Ones to Watch® in America**

August 20, 2025

Marshall Dennehey is proud to highlight the firm's 98 attorneys who have been recognized in the 2026 editions of The Best Lawyers in America® and the Best Lawyers: Ones to Watch® in America. Less than 6% of all practicing lawyers in the U.S.

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### **Eight Marshall Dennehey Attorneys Selected to the 2025 Florida Super Lawyers & Florida Rising Stars Lists**

June 26, 2025

Eight attorneys from the Florida offices of Marshall Dennehey have been selected to the 2025 edition of Florida Super Lawyers magazine.

[Read More](#)

### **Five Marshall Dennehey Attorneys Selected to the 2024 Florida Super Lawyers & Florida Rising Stars Lists**

June 27, 2024

Five attorneys from the Florida offices of Marshall Dennehey have been selected to the 2024 edition of Florida Super Lawyers magazine.

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### **Kimberly Kanoff Berman and Elizabeth Ferguson Named Women Leaders in Law by Florida Trend**

Appellate Advocacy & Post-Trial Practice

Architectural, Engineering & Construction Defect Litigation

December 1, 2023

Marshall Dennehey is pleased to announce that two of its Florida shareholders, Kimberly Kanoff Berman and

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## **Five Marshall Dennehey Attorneys Selected to the 2023 Florida Super Lawyers List**

June 26, 2023

Five attorneys from the Florida offices of Marshall Dennehey have been selected to the 2023 edition of Florida Super Lawyers magazine.

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### **PUBLISHED WORKS**

"Big Impact on Duty to Defend Florida Construction Cases," *Defense Digest*, Vol. 24, No. 1, March 2018

*Case Law Alerts*, contributor, April 2018-present

*Legal Updates for Construction Litigation*, June 2017-present

### **CLASSES/SEMINARS TAUGHT**

*Design Professional Liability*, The Florida Bar Real Property, Probate, and Trust Law Section's Advanced Construction Law & Certification Review Course, Orlando, Florida, March 5-7, 2026

*Florida Construction Law*, Construction Licensing Officials Association of Florida Conference, May 29, 2025

*Florida Construction Defect Litigation*, Jacksonville Bar Association's Florida Construction Defect Litigation CLE Lunch & Learn, April 30, 2024

*Design Liability*, The Florida Bar Construction Law Institute, Orlando, Florida, March 23, 2024

*Views from the Bench: Complex Construction Litigation - Trials and the Run-Up*, The Florida Bar Real Property, Probate and Trust Law Section's Construction Law Institute, Orlando, Florida, March 22, 2024

*How Insurers Are Controlling Expert Costs in Construction Defect Claims*, AM Best Webinar, November 7, 2023

*The Impact of Altman on Defense and Indemnity Obligations in Florida*, CLM Webinar, September 2018

## **SIGNIFICANT REPRESENTATIVE MATTERS**

Defense of construction, engineering and inspection sub-consultant on an FDOT project with a value over \$111 million, involving claims brought by contractor for professional negligence and breach of duty.

Defense of large southeast residential developer and home builder against claims by individual owners for construction defect, including improperly installed stucco, windows and roofing systems. Represented same builder in over 100 suits against the original subcontractors to recover costs incurred by the builder for remediation and repair of the homes.

Defense of construction, engineering and inspection contractor from claims of insufficient maintenance of traffic in a roadway construction zone, case involved the death of two eighteen year olds.

Defense of subcontractor against multi-million dollar construction defect and unfair trade practices claims by general contractor and owner. Case involved construction of multiple buildings, water intrusion and mold claims.

Defense of nation-wide residential developer and home builder in a multi-million dollar construction defects and mold claim brought by individual owners seeking class certification of over 350 homes.

## **REPRESENTATIVE CASES**

*Welcome v. Arvida*, 903 So. 2d 942 (Fla. 1st DCA 2005)