

## DAVID E. KAYE

ASSOCIATE



### AREAS OF PRACTICE

Insurance Services – Coverage & Bad Faith Litigation

### CONTACT INFO

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Tampa, FL 33602

### ADMISSIONS

Florida  
2012

U.S. District Court Southern  
District of Florida  
2014

U.S. District Court District of  
Columbia  
2018

### EDUCATION

Florida International University  
College of Law (J.D., 2011)

University of Miami (B.A., 2008)

### OVERVIEW

David is a member of the Professional Liability Department where he focuses his practice on representing and defending clients in insurance coverage, and first party property claims and suits made against them.

Prior to joining Marshall Dennehey, David spent years as a consultant in the e-Discovery field, culminating in his running the Tampa branch of UnitedLex where he worked with large law firms and clients to successfully meet their needs of responding to large scale document requests from the federal government and in civil litigation. In addition, David later made his way back to the courtroom by litigating cases on behalf of community associations and insurance carriers in Florida.

David received his *juris doctor* from Florida International University College of Law and his Bachelor of Arts degree from the University of Miami.

When not in the courtroom, David enjoys spending time with his wife and daughter and watching Formula 1 racing.

### YEAR JOINED

2022

## THOUGHT LEADERSHIP

**Condominium associations have duty to repair common elements regardless if the damages were caused by an event in a non-common element unit.**

**Tampa**  
**Insurance Services – Coverage & Bad Faith Litigation**  
**Property Litigation**  
**July 1, 2024**

This case stems from Broward County condominium owners appealing a final summary judgment on their breach of contract and negligence claims for the condominium association's failure to repair damage to the common elements. Legal Update for Florida Coverage & Property Litigation – July 2024 is prepared by Marshall Dennehey to provide information on recent legal develop

**Trial courts must make specific findings as to reasonableness of hours and reductions in attorney fee awards.**

**Tampa**  
**Insurance Services – Coverage & Bad Faith Litigation**  
**Property Litigation**  
**June 1, 2024**

This case arises from Universal Property & Casualty Insurance Company's appeal of a trial court's award of attorney's fees to the plaintiffs/insureds as the prevailing party. Legal Update for Florida Coverage & Property Litigation – June 2024 is prepared by Marshall Dennehey to provide information on recent legal develop

**As the insurance carrier timely complied with its policy's appraisal clause and issued payments and coverage in accordance with terms and conditions of its policy, insureds' lawsuit was not a necessary catalyst to force its compliance with the policy.**

**Tampa**  
**Insurance Services – Coverage & Bad Faith Litigation**  
**May 1, 2024**

The Third District Court of Appeals was asked to reverse a trial court's order denying the insureds' motion for attorney's fees. The case stems from a September 2017 Hurricane Irma claim made by the insureds with their carrier, Citizens. Legal Update for Florida Coverage & Property Litigation – May 2024 is prepared by Marshall Dennehey to provide information on recent legal develop

### **SIGNIFICANT REPRESENTATIVE MATTERS**

Successfully obtained dismissal with prejudice in first party property case on behalf of carrier where AOB party did not comply with the mandatory requirements of Fla. Stat. 627.7152.

Successfully obtained summary judgment on behalf of Insured restaurant in a negligence/slip and fall case, where it was successfully argued that there was no genuine issue of fact that the restaurant was not put on constructive notice of the alleged dangerous condition.