

ANDREW J. MARCHESE

CHAIR, NON-PROFIT D&O PRACTICE GROUP
SHAREHOLDER



AREAS OF PRACTICE

Miscellaneous Professional Liability
Architectural, Engineering & Construction
Defect Litigation
Employment Law
Insurance Agents & Brokers Liability
Lawyers' Professional Liability
Disciplinary Board Representation
Non-Profit D&O

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ADMISSIONS

Florida
1995

U.S. District Court Southern
District of Florida
1996

U.S. District Court Middle District
of Florida
1998

EDUCATION

Western Michigan University
Thomas M. Cooley School of Law
(J.D., cum laude, 1995)

University of Maryland (B.A., 1990)

ASSOCIATIONS & MEMBERSHIPS

The Florida Bar, Board Certified in
Condominium and Planned
Development

Aviation Insurance Association

Dade County Bar Association

The Association of Trial Lawyers
of America

OVERVIEW

Andrew brings a distinctive combination of litigation skills to his practice, developed during his legal career in South Florida. He represents various individuals, private and public companies, and non-profit entities in a broad range of business matters. Board Certified in Condominium and Planned Development law by The Florida Bar, Andrew has represented hundreds of condominium associations, homeowners associations, directors, officers and property managers in claims ranging from breach of fiduciary duty, breach of the declaration, real estate liens, real property document disputes, Fair Housing Act (FHA) and HUD claims. His extensive directors & officers practice has given him significant experience with all types of claims in this arena.

Andrew's practice also consists of complex litigation with an emphasis on the defense of non-medical professionals, including attorneys, directors and officers, insurance brokers and title agents, architects and engineers, design professionals, general contractors, construction managers and subcontractors, against claims of liability, breach of contract, construction defect, design defect, delay, insurance coverage issues and licensure issues.

Additionally, he represents employers in litigation and providing them advice and counsel concerning a variety of employment-related matters. Andrew has handled the defense of employment law cases in federal and state courts and before various administrative agencies. He has defended employers in claims alleging discrimination, violation of federal and state employment-related statutes, wrongful discharge, breach of contract and related tort claims. Andrew also has experience with ADA public accommodation cases.

In 1990, Andrew graduated from the University of Maryland (College Park) where he received his Bachelor of Arts Degree in Criminal Justice/Pre-Law. He then went onto obtain his *juris doctor* from The Thomas M. Cooley School of Law (*cum laude*), graduating in the top ten percent of his class.

THOUGHT LEADERSHIP

The insurer was not bound by the actions of the insurance broker who placed insurance with the insurer.

**Fort Lauderdale
Insurance Agents & Brokers Liability
August 1, 2023**

In Osceola County Circuit Court, Judge Young granted summary judgment in favor of the insurance carrier, Security First, of an insurance policy in effect at the time of a 2014 residential house fire. Legal Update for Insurance Agents & Brokers – August 2023 has been prepared f

Article III Standing Does Not Come from Violation of Statute Alone

**Fort Lauderdale
Consumer Financial Services Litigation & Compliance
December 1, 2022**

Florida appellate court decides that a master association has no standing to sue its condominium association.

**Fort Lauderdale
Non-Profit D&O
October 1, 2021**

Recently, the trial judge presiding over Miami-Dade County's Complex Business Litigation Division was faced with a standing question when he ruled in favor of the defendants at the summary judgment phase in the case of De Soleil S. Case Law Alerts

Third District Court of Appeal holds that mother of developmentally disabled child has no standing to sue university legal clinic for malpractice.

**Lawyers' Professional Liability
April 1, 2019**

The mother of Brittany Oliver, a developmentally disabled person, appealed the trial court's final order dismissing the second amended complaint with prejudice against the University of Miami School of Law's Children & Youth Law Clinic for fai Case Law Alerts, 2nd Quarter, April 2019

Third-party purchaser may not be liable for assessments accrued prior to the date the purchaser takes title to a property.

**Miscellaneous Professional Liability
October 2, 2015**

Over the past two years, there has been much debate over the interpretation and applicability of F.S. §720.3085 regarding the past due assessments owed by a third-party purchaser who acquires a residence through the foreclosure process. Case Law Alerts, 4th Quarter, October 2015

CLASSES/SEMINARS TAUGHT

Community Associations - Exposures Close to Home, Marshall Dennehey Client Presentation, September, 2020

Contemporary Litigation Issues for the Claims Professional, Marshall Dennehey Client Presentation, September 21, 2015

PUBLISHED WORKS

"Article III Standing Does Not Come from Violation of Statute Alone," *Defense Digest*, Vol. 28, No. 12, December 2022

"Florida Appeal Court Finds Assignment of Legal Malpractice Claim Permissible in Commercial Setting," *PLUS Magazine*, October 2006