

LINDSAY G. MCCORMICK

ASSISTANT OFFICE MANAGING ATTORNEY
SHAREHOLDER



AREAS OF PRACTICE

Architectural, Engineering & Construction
Defect Litigation
Real Estate E&O Liability
Miscellaneous Professional Liability

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Tampa, FL 33602

ADMISSIONS

Florida
2010

U.S. District Court Middle District
of Florida
2011

EDUCATION

Florida State University College of
Law (J.D., cum laude, 2010)

Florida Gulf Coast University (B.A.,
magna cum laude, 2007)

HONORS & AWARDS

The Best Lawyers in America®,
Litigation - Construction
2023-2025

Florida Super Lawyers Rising Star
2014-2020

YEAR JOINED

2012

CERTIFICATIONS

Board Certified, Construction Law,
The Florida Bar, 2024

OVERVIEW

Lindsay is a Florida Bar Board Certified Construction attorney and the Assistant Office Managing Attorney of our Tampa office. As a member of our firm's Professional Liability Department, the focus of her practice is construction defect litigation, architect and engineer defense and general professional liability defense. In this role, Lindsay provides counsel to general contractors, subcontractors, manufacturers, suppliers, architects and engineers in claims brought against them in a variety of construction projects and disputes, both individually and through insurance carriers.

Additionally, Lindsay is well-versed in the practice of pursuing affirmative claims against subcontractors and sub-subcontractors when appropriate, including pursuing tenders and additional insured obligations. Further, Lindsay assists clients through pre-suit investigations, mediations and arbitrations when appropriate. Lindsay is also experienced in handling condominium association claims, and directors' and officers' claims for real estate agents, brokers and appraisers.

In addition, Lindsay is also a former member of the firm's Executive Committee Advisory Council, a distinguished group of firm leaders whose purpose is to enhance the communication between the Executive Committee and younger members of the firm's professional ranks, including associates, special counsel and junior shareholders.

Outside of her law practice, Lindsay is an active participant in various programs with local pet rescue groups in the Tampa Bay Area, where she works with animal rescues and serves as a foster caretaker for rescued dogs in transition, until they find adoptive homes.

THOUGHT LEADERSHIP

General Contract May Be Entitled to Award of Attorneys' Fees Against Subcontractor, Despite Jury's Apportionment of Damages

Tampa

Architectural, Engineering & Construction Defect Litigation

April 1, 2025

For construction defect litigation, many times we are called into action to defend a subcontractor who has been included as a third party to the primary dispute between an owner and a general contractor. Case Law Alerts, 2nd Quarter, April

A Default Judgment Is Not Always the End.

Tampa

Architectural, Engineering & Construction Defect Litigation

October 1, 2024

Far too often in our line of business, we are informed of litigation after a default has already been entered against our client or insured. Ideally, and in most cases, we are able to negotiate for the default to be set aside or vacated. Case Law Alerts, 4th Quarter, October

Competent, Substantial Evidence Is the Name of the Game in Construction Disputes

Tampa

Architectural, Engineering & Construction Defect Litigation

April 1, 2024

It is common in construction disputes between sophisticated parties for the parties to agree to engage in a bench trial, as opposed to a trial by jury.

Florida District Court Rules Four-Year Statute of Limitations Governs Construction-Based Malpractice Claims Against Design Professionals

Tampa

Architectural, Engineering & Construction Defect Litigation

October 1, 2023

Florida Statute § 95.11 sets the statutes of limitations for numerous claims, but as it relates to construction-related professional negligence claims, there has been a dispute and uncertainty as to whether the two-year or four-year limitation applies. Case Law Alerts, 4th Quarter, October 2023 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

Proposed revision to Florida statute sits before the House that would require building code violations to be "material" to trigger claim under 553.84.

Tampa

Architectural, Engineering & Construction Defect Litigation

April 1, 2023

Florida Statute 553.84 creates a cause of action for any person damaged as a result of any building code violation against any party who committed that building code violation in the construction of the building. Case Law Alerts, 2nd Quarter, April 2023 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

PUBLISHED WORKS

Case Law Alerts, contributor, 2018

"Construction Defect Claims and the Role of the Insurer in Early Proceedings," *Insurance Journal - Focus on Florida*, November 21, 2016

"Chapter 558 Notice and the Duty to Defend," *Defense Digest*, Vol. 21, No. 3, September 2015

"Use of Case Management Orders in Construction Litigation," *Lawyer* magazine, publication of the Hillsborough County Bar Association, February 2015

SIGNIFICANT REPRESENTATIVE MATTERS

Represented a shell contractor in a large condominium project litigation that spanned more than 6 years. The representation included both defending claims asserted by the Condo Association, as well as the general contractor, and actively pursuing claims against more than a dozen sub-subcontractors. Through the use of detailed analysis, effective defenses, active tendering and additional insured tenders, and settlement negotiations with numerous parties, was able to obtain a valuable resolution in advance of what would have been a 3-month trial.

Represented framing contractor in binding arbitration initiated by a general contractor for both direct and consequential damages resulting from the construction of a multi-family building. Carried representation through issuance of Interim Award by the arbitration panel containing a favorable ruling for the client, which included a finding of waiver of all alleged consequential damages. The award spurred a reasonable settlement which the general contractor previously was not willing to consider.

Obtained a defense verdict at trial for an engineering client related to claims surrounding an alleged failed sinkhole repair. Claims included professional negligence for the design of the repair, as well as claims of fraud and negligent misrepresentation.

Defended subcontractors and material suppliers in numerous cases for both direct and third-party claims relating to alleged construction defects and including both contractual and statutory warranty claims.

Defended design professionals in both direct and third-party claims relating to allegations of design deficiencies, and/or failure to properly perform supervisory duties.