

## HOLLY M. HAMILTON

ASSOCIATE



### AREAS OF PRACTICE

Miscellaneous Professional Liability  
Non-Profit D&O  
Consumer Financial Services Litigation & Compliance  
Employment Law  
Appellate Advocacy & Post-Trial Practice

### CONTACT INFO

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Suite 1100  
Fort Lauderdale, FL 33308

### ADMISSIONS

Florida

New York

New Jersey

U.S. District Court Southern  
District of Florida

U.S. District Court Middle District  
of Florida

### OVERVIEW

Holly is an associate in the firm's Professional Liability Department where she focuses on Florida director & officer disputes in not-for-profit condominium and other community associations. These disputes include Fair Housing Act (FHA) claims, condo disputes under Chapter 718, Florida Statutes, and homeowners' association disputes under Chapter 720. Holly has strong defense experience at every level including pre-suit and for actions filed before various governmental agencies, as well as in state and federal courts.

Holly's practice is also focused on a variety of employment disputes. Holly has defended multiple employment discrimination, harassment, and retaliation claims at all levels including disability and racial discrimination claims before the Equal Employment Opportunity Commission (EEOC).

Further, Holly has also handled a variety of consumer financial services litigation and compliance matters. She has additionally been involved in a range of other civil litigation matters including breach of contract issues, commercial disputes and real estate actions.

Holly received her *juris doctor* from Hofstra University School of Law after majoring in Economics and English at Florida International University. She is admitted to practice law in the states of Florida, New York, and New Jersey, and enjoys reading all manner of fiction.

### EDUCATION

Hofstra University School of Law  
(J.D., 2014)

Florida International University  
(B.S., 2011)

### HONORS & AWARDS

The Best Lawyers: Ones to  
Watch®, Financial Services  
Regulation Law  
2021-2025

### YEAR JOINED

2020

## THOUGHT LEADERSHIP

### **Florida's Court of Appeals Holds a Private Employee's Recovery for Retaliation Under Florida's Whistleblower Act Must Be for Actual Violations of Law**

**Fort Lauderdale**  
**Employment Law**  
**January 1, 2025**

The trial court granted an employer's motion for summary judgment and ruled that, for an employee to recover for employment retaliation under Florida's Whistleblower's Act (section 448.102(3)) (FWA), they have to show they objected to, or refused Case Law Alerts, 1st Quarter, Janu

### **Florida's Third District Court of Appeal Affirms Dismissal with Prejudice for Failure to Exhaust Administrative Remedies in Sexual Harassment Case.**

**Fort Lauderdale**  
**Employment Law**  
**October 1, 2024**

The trial court dismissed an employee's sexual harassment lawsuit against her employer for failure to exhaust her administrative remedies. Case Law Alerts, 4th Quarter, Octo

### **Florida's Fourth District Court of Appeal Explores "Cat's Paw" Liability Theory in an Employment Law Whistleblower Retaliation Context**

**Fort Lauderdale**  
**Employment Law**  
**July 1, 2024**

A former city employee filed a lawsuit against the defendant pursuant to section 112.3187(4)(a)-(b), Florida Statutes, where he alleged the City Commission's termination of his employment violated Florida's Whistleblower's Act, (the pertinent part Case Law Alerts, 3rd Quarter, July

### **Florida Court of Appeals Holds that an EEOC Charge Does Not Need to Specifically Allege the Florida Civil Rights Act to Exhaust Administrative Remedies Prior to Filing a Lawsuit.**

**Fort Lauderdale**  
**Employment Law**  
**January 1, 2024**

Florida's Second District Court of Appeal examined the issue of whether section 760.11, Florida Statutes, requires that the aggrieved party cite to the Florida Civil Rights Act (FRCA) in a charge filed with the EEOC. Case Law Alerts, 1st Quarter, January 2024 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

### **The EEOC's Investigatory Powers Are Limited to the Scope of a Valid Charge**

**Fort Lauderdale**  
**Employment Law**  
**October 1, 2023**

The EEOC issued an employment discrimination Charge to a car components manufacturer. In its Charge, the EEOC stated the specific address for only one of the manufacturer's seven facilities. Case Law Alerts, 4th Quarter, October 2023 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

## **PUBLISHED WORKS**

"Consider the Charge Before Responding to an EEOC Investigation," *PLUS Blog*, June 22, 2023

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

"Punitive Damage Amendments Soon Subject to Immediate Interlocutory Appeal," *Daily Business Review*, February 9, 2022