

## BRENDAN P. SMITH

SHAREHOLDER

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### AREAS OF PRACTICE

Insurance Services – Coverage &  
Bad Faith Litigation  
Miscellaneous Professional  
Liability

### CONTACT INFO

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### ADMISSIONS

Florida  
2006

U.S. District Court  
Southern District of  
Florida  
2009

U.S. District Court Middle  
District of Florida  
2012

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## OVERVIEW

### EDUCATION

St. Thomas University  
College of Law (J.D.,  
2006)

William & Mary (B.A.,  
1996)

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### YEAR JOINED

2025

Brendan is a member of the Professional Liability Department where he focuses his practice on the defense of auto manufacturers in all stages of their warranty litigation from pre-suit, arbitration and jury trials. Additionally, he represents insurance carriers in coverage disputes and alleged bad faith actions. Many of the coverage disputes involves windstorm claims, interior water damage claims, mold claims and remediation claims.

Brendan started his career as a public defender in Miami-Dade County, where he gained extensive courtroom and trial experience. He later went on to work at a civil defense firm where he eventually became a named partner. While there, he defended many major American and European automotive companies in both state and federal court, as well as at the administrative level. Brendan has tried cases throughout the state of Florida on behalf of his clients.

Brendan received his Juris Doctorate from Saint Thomas University and his Bachelor of Arts in English from the College of William and Mary.

### **Appeals Court Reverses Trial Court Finding that Proposal for Settlement Made by Carrier to Insured was not Ambiguous**

**Orlando**

**Insurance Services - Coverage & Bad Faith Litigation**

**March 1, 2026**

Sec. First Ins. Co. v. Cincotta, 2025 WL 3714668 (Fla. 6th DCA 2025)

### **Appeals Court Reverses Verdict, Finds Trial Court Erred in Denying Motion to Dismiss and In Finding Late Notice Defense Was Waived When Alternative Policy Exclusions Were Raised in the Same Pleading**

**Orlando**

**Insurance Services - Coverage & Bad Faith Litigation**

**December 1, 2025**

The Third District Court of Appeal reversed the trial court's order denying the insurance company's motion to set aside a jury verdict in favor of the insured. Prior to trial, the trial court denied the insurance company's motion to dismiss.

### **Marshall Dennehey Expands Florida Professional Liability Practice With Addition of Shareholder Brendan P. Smith in Orlando**

Insurance Services - Coverage & Bad Faith Litigation

October 27, 2025

Marshall Dennehey announced today that veteran trial lawyer Brendan P. Smith has joined the firm's Orlando office as a shareholder.

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