

## RYAN D. BURNS

SHAREHOLDER



### AREAS OF PRACTICE

Product Liability  
Premises & Retail Liability  
Automobile Liability  
Trucking & Transportation Liability  
General Liability  
Asbestos & Mass Tort Litigation  
Maritime Litigation  
Fraud/Special Investigation  
Construction Injury Litigation  
Catastrophic Claims Litigation

### CONTACT INFO

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Fort Lauderdale, FL 33308

### ADMISSIONS

Florida  
2006

U.S. District Court Southern  
District of Florida  
2008

U.S. District Court Middle District  
of Florida  
2019

### EDUCATION

Indiana University School of Law  
(J.D., cum laude, 2006)

University of Florida (B.S.,  
Mathematics, 2003)

### HONORS & AWARDS

Florida Super Lawyers Rising Star  
2013-2020

### ASSOCIATIONS & MEMBERSHIPS

American Bar Association

### YEAR JOINED

2008

### OVERVIEW

Ryan is a longstanding member of the firm's Casualty Department and has considerable experience with a wide variety of casualty matters. A substantial portion of Ryan's practice is devoted to the handling of matters with complex theories of liability, often involving catastrophic loss and/or wrongful death. They include claims emanating from product liability, construction and equipment accidents, automotive liability, interstate trucking and transportation, negligent security, premises and retail liability, among many others. As an example of this complexity, Ryan has litigated several matters where causation for death was at issue such as alleged complications from surgeries and alleged food borne illnesses (e. coli, vibrio), and has handled numerous multi-party claims involving demands in excess of \$50 million.

As a litigator with experience in a multitude of casualty disciplines from the general to the specialized, including asbestos and toxic tort, maritime and fraud/special investigation, Ryan serves as thought leader and mentor to associates in his office. He has also argued appeals before the Second, Third, and Fourth District Courts of Appeal.

Ryan's legal career started as a prosecutor with Miami-Dade State Attorney's Office, which provided him with considerable litigation experience and familiarity with the criminal justice system. This was a continuation of his focus on litigation during his legal education at Indiana University School of Law - Bloomington where he was in Moot Court (finalist and competition team) and the school's trial competition team. In combination with his civil career at Marshall Dennehey, Ryan has tried approximately 20 jury trials to verdict, including several complex multi-party and Wrongful Death matters spanning weeks in court.

Ryan is a Florida native, born and raised in Cocoa Beach in Brevard County and attending the University of Florida as an undergraduate where he studied theoretical physics and mathematics before leaving Florida for law school with his wife. He now is based out of Fort Lauderdale where he and his wife are raising two daughters, and in his spare time trains for obstacle course racing and triathlons.

## THOUGHT LEADERSHIP

### **Policies Alone Fall Short: Establishing a Standard of Care and Duty Requires More Than Internal Procedures**

**Fort Lauderdale**  
**Insurance Services – Coverage & Bad Faith Litigation**  
**General Liability**  
**December 13, 2023**

A recent decision by the Florida Fifth Circuit Court of Appeal confirmed the application of rarely considered case law that analyzes the application of a company's internal policies and procedures to the standard of care in its industry.

### **Policies Alone Fall Short: Establishing a Standard of Care and Duty Requires More Than Internal Procedures**

**Fort Lauderdale**  
**Product Liability**  
**December 1, 2023**

Key Points: Defense Digest, Vol. 29, No.

### **Understanding Florida's Sweeping New Immunity Law for COVID-19 Claims**

**Fort Lauderdale**  
**General Liability**  
**April 15, 2021**

### **GEICO Case Opens Door to Depose Plaintiff's Physician**

**Fort Lauderdale**  
**General Liability**  
**April 1, 2013**

### **CLASSES/SEMINARS TAUGHT**

*New Florida Tort Reform Changes Under HB 837*, Tampa Bay RIMS Chapter Meeting, Tampa, FL, October 18, 2023

*56 Feds are Coming: Strategies Using the Upcoming Florida Summary Judgment Standard*, Marshall Dennehey Client Webinar, January 15, 2021

*When Lithium Batteries Fail and What to do About it* – panel, 2019 CLM Southeast Conference, Orlando, FL, October, 2019

*ETHICS: The Tripartite Relationship and Bad Faith Claims*, Marshall Dennehey Florida Claims Symposium – Casino Royale, Tampa, FL, September 20, 2018

*Discussions of Recent Florida Case law Developments Regarding EUO Methodology and Limitations*, FIFEC - Florida Insurance Fraud Education Committee, Orlando, FL, June 2012

*Florida Premises Liability Law and the Affect of Medicare Liens on Settlements*, client seminar, October 2011

### **PUBLISHED WORKS**

"Understanding Florida's Sweeping New Immunity Law for COVID-19 Claims," *Insurance Journal*, April 15, 2021

"Commentary: Navigating Florida's Comparative Fault Statute," *Insurance Journal*, April 20, 2016

"Board of Contributors: Florida Supreme Court Sets Settlement Ground Rules," *Daily Business Review*, April 23, 2015

"GEICO Case Opens Door to Depose Plaintiff's Physician," *Daily Business Review*, April 1, 2013

### **LEGAL TEACHING POSITION**

Certified Instructor in Adjuster Law and Policy by the Florida Department of Financial Services, Bureau of Licensing

## RESULTS

### Appellate success in wrongful death product liability action.

#### **Appellate Advocacy & Post-Trial Practice**

#### **Product Liability**

**December 2, 2021**

Our attorneys succeeded in obtaining an affirmance in the Fifth District Court of Appeal of a final dismissal order of a wrongful death product liability action. The decedent's estate filed the lawsuit two years after the statute of limitations expired. The estate argued the statute was tolled for a variety of reasons. The trial court dismissed the case, with prejudice, after giving the Estate five attempts to amend. The Fifth District affirmed the dismissal and dispensed with oral argument that same day.

#### **SIGNIFICANT REPRESENTATIVE MATTERS**

Obtained a defense verdict in a wrongful death/negligent security claim, where demand was \$10 million, by arguing that the claimant was a trespasser at the time of the shooting.

Obtained defense verdicts in several premises liability trials on the basis that clients were not negligent.

Obtained summary judgments in several negligence cases on issues ranging from workers' compensation immunity to insufficient evidence of negligence.