

CHAMBERS & PARTNERS

LEGAL PUBLISHERS

CHAMBERS USA

America's Leading
Lawyers for Business

PodhurstOrseck
TRIAL & APPELLATE LAWYERS

2011
The Client's Guide

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is ranked in Chambers USA 2011 as follows: FLORIDA

LITIGATION

Litigation: General Commercial
Leading Firms
Band 1
Podhurst Orseck P.A.
Leading Individuals
Band 1
Josefsberg Robert C Podhurst Orseck P.A.
Podhurst Aaron S Podhurst Orseck P.A.
Litigation: White-Collar Crime & Government Investigations
Leading Firms
Band 2
Podhurst Orseck P.A.
Leading Individuals
Star individuals
Josefsberg Robert C Podhurst Orseck P.A.
Band 2
Prieto Peter Podhurst Orseck P.A.

Podhurst Orseck P.A.

THE FIRM This small but feisty Miami-based firm has a first-class team of litigators and trial lawyers. The group focuses exclusively on trial and appellate litigation, and continues to impress peers and clients alike with the quality of its work. It offers legal representation in both federal and state courts, with particular expertise in aviation, automobile and product liability litigation.

Sources say: "Podhurst is still the nirvana for lawyers."

KEY INDIVIDUALS Eminently experienced civil and criminal trial lawyer **Robert Josefsberg** continues to be praised as "a true litigation hero." According to impressed peers, "the judges love him and his trial experience is second to none." Founding partner **Aaron Podhurst** is "among the strongest litigators. He is excellent and a pleasure to work with." He is widely respected for his expertise in aviation litigation and complex class actions. **Peter Prieto** impresses sources as "a straight shooter and someone you feel good about having on your side." The former federal prosecutor offers in-depth experience in healthcare fraud and FCPA matters.

LITIGATION APPELLATE

Litigation: Appellate
Leading Individuals
Band 1
Eaton Joel Podhurst Orseck P.A.
Band 3
Rosenthal Stephen F Podhurst Orseck P.A.

Notable Practitioners

Joel Eaton of Podhurst Orseck P.A. "probably has more knowledge in his little pinkie than most people have in their whole bodies," one client marveled. Moving up in the rankings is **Stephen Rosenthal** at the same firm. He impresses peers with his "sharp intellect."

Leaders

EATON, Joel

Podhurst Orseck P.A., Miami
305 358 2800
JEaton@Podhurst.com

Featured in Litigation (Florida)

Practice Areas: Appellate.

Career: Has handled civil appeals in state and federal courts for 35 years, and is a former Chairman of the Florida Supreme Court's Appellate Rules Committee. He also served two terms as a Member of the Supreme Court's Committee on Standard Jury Instructions in Civil Cases. He is a co-founder of the American Academy of Appellate Lawyers, is listed in Best Lawyers of America, and currently serves as an Adviser to the American Law Institute's Restatement of the Law (Third) Torts: Liability for Physical Harm.

Personal: Harvard University (JD cum laude, 1975); Yale University (BA 1965).

JOSEFSBERG, Robert C

Podhurst Orseck P.A., Miami
305 358 2800
RJosefsberg@Podhurst.com

Featured in Litigation (Florida)

Practice Areas: A broad range of civil and criminal litigation in all federal and state courts.

Career: One of Miami-Dade County's premiere trial lawyers, listed annually since 1987 in the Best Lawyers in America in two categories-Business Litigation and Criminal Law. Past President and Dean of the International Academy of Trial Lawyers, a Fellow of the American College of Trial Lawyers and a member of the American Board of Trial Advocates. He has served on the American Bar Association Standing Committee on the Judiciary, as Chairman of the Southern District of Florida Judicial Evaluation Committee, and the Florida State University Law School Board of Visitors. In addition to commercial practice, he also handles the firm's white-collar criminal defense work - an outgrowth of his background as an assistant US attorney for the Southern District of Florida, as Special Counsel to the Dade County Grand Jury, and member of numerous commissions and task forces in the area of criminal law, including the U.S. Supreme Court Advisory Committee on Criminal Rules and Chairmanship of the Florida Bar's Criminal Law Certification Committee.

Personal: BA Dartmouth College, 1959; JD Yale Law School, 1962.

PODHURST, Aaron S

Podhurst Orseck P.A., Miami
305 358 2800
APodhurst@Podhurst.com

Featured in Litigation (Florida)

Practice Areas: A broad range of civil litigation, including complex commercial litigation, aviation and mass tort litigation in all federal and state courts.

Career: His distinguished career has brought him honors and offices from virtually every major legal organization, including the presidencies of the International Academy of Trial Lawyers and The Florida Justice Association, fellowship in the American College of Trial Lawyers, Member of Board of Governors of Association of Trial Lawyers of America, membership in the International Society of Barristers and the Inner Circle of Advocates, and chairmanship of important aviation committees of the American Bar Association, American Association For Justice and The Florida Justice Association. Although he made his reputation as one of the nation's premiere plaintiff's aviation lawyers, and continues to hold that status, he has guided the firm in recent years to its sta-

tus as one of the major commercial litigation firms in South Florida.

Personal: BA from the University of Michigan in 1957, and Harland Fiske Stone Scholar and Juris Doctorate Degree from Columbia University.

ROSENTHAL, Stephen F

Podhurst Orseck P.A., Miami
305 358 2800

Featured in Litigation (Florida)

Practice Areas: Partner focusing on appeals and complex civil litigation, including mass tort, commercial disputes and constitutional law.

Professional Memberships: US Supreme Court; US Courts of Appeals for the Second, Fifth, Seventh and Eleventh Circuit; US District Court, SD Florida; Florida Bar; District of Columbia Bar; American Association for Justice; Florida Justice Association.

Career: US Department of Justice Civil Division, Federal Programs Branch, Law clerk to US Circuit Judge Rosemary Barkett (11th Cir.) and to US District Judge Mark Wolf (D. Mass.).

Personal: Harvard Law School (JD, cum laude, 1996); Harvard College (BA, magna cum laude, 1992).

PODHURST ORSECK, P.A.

THE FIRM

Founding & Managing Partner: Aaron S Podhurst

Number of partners: 8

Number of other lawyers: 4

Number of other lawyers (of Counsel): 2

FIRM OVERVIEW: Podhurst Orseck continues a legal practice, established over four decades ago, concentrating exclusively in trial and appellate litigation. The firm is dedicated to offering the highest calibre legal representation in both federal and state trial and appellate courts throughout the United States. The firm's commercial practice focuses on complex civil litigation of all types. The firm serves as general litigation counsel to several major corporations, as well as represents companies and individuals in substantial matters of commercial litigation. The firm's General Tort Practice places a major emphasis upon representing claimants in aviation, automobile, products liability and medical malpractice litigation. From its inception, the firm also has cultivated an appellate practice, handling appeals of not only the firm's trial lawyers, but of other lawyers throughout the nation, in the various state and federal appellate courts, including the United States Supreme Court. The firm's practice serves clients residing or based throughout the United States, and in several foreign countries.

MAIN AREAS OF PRACTICE:

General Tort Practice Concentrating in Automobile Negligence, Product Liability & Medical Malpractice Litigation: Since its inception, a significant portion of the firm's trial practice has been general tort law. The firm's experience runs the gamut of such cases, from automobile liability to complex products liability, to business-related torts. Literally thousands of general negligence and product liability cases of all sorts have been prepared, negotiated or tried by the members of the firm. An abbreviated listing of the types of cases handled would include all types of general negligence cases (from automobile and slip and fall accidents to boating and diving accidents), product liability cases (involving cranes, automobiles, rollover and tire tread separation, trenchers, food processing equipment, marine engines, pharmaceuticals, hand tools and ladders, to name a few) and complex medical, legal, accounting, architectural and engineering malpractice claims.

Aviation Litigation: A major emphasis within the firm's General Tort Practice is aviation litigation. The firm is recognized worldwide for its work as a plaintiffs' aviation law firm. Podhurst Orseck believes that it has handled more plaintiffs' aviation cases than any other firm in the southeastern United States and more foreign air crashes than almost any other firm in the country. The firm has represented multiple victims of over 40 major air disasters in the past 36 years, most of them as lead counsel or in a major role. In addition, the firm has handled in excess of 100 small or light plane and helicopter crashes involving private, non-commercial aircraft.

Commercial Litigation: Nearly fifty percent of the firm's trial and appellate litigation involves the resolution of corporate and commercial disputes. Its practice varies from the most complex commercial cases to simple contract litigation. The firm's commercial clientele includes *Fortune* 500 companies, small and middle-sized companies, and private individuals. Regular litigation clients include: Alienware Corp., Codina Construction Corp., and Florida East Coast Properties, Inc.

Class Actions: The firm has a very active class action and multi-district litigation practice. Members of the firm have been court-appointed lead or liaison counsel in numerous major class actions, ranging from securities litigation, investor fraud cases, pharmaceutical, health-care and insurance litigation. In addition, firm lawyers have chaired and served on the steering

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ing committee of many national multi-district litigation proceedings in federal courts involving products defects, major commercial aviation crashes and other mass torts. Significant firm resources have been invested, and a sizeable support staff trained and developed to service this practice area.

Probate & Matrimonial Litigation: For many years, the firm has represented clients in the field of probate and matrimonial litigation. It has engaged in the preparation of prenuptial agreements, and in litigation involving marital dissolution, child custody and property settlement agreements. The firm has also represented clients in claims challenging prenuptial agreements. Further, the firm has had substantial experience in litigation involving post-dissolution of marriage proceedings pertaining to modifications, as well as will contests and complex probate litigation.

Criminal Litigation: The firm has a special interest and concentration in the areas of white-collar crime and commercial fraud. The focus of these practices is the representation of individuals, corporate executives and corporations, in both state and federal proceedings, ranging from grand jury investigations to criminal prosecutions and appeals. The firm has handled litigation involving environmental matters, bank fraud, tax fraud, mail and wire fraud, RICO violations, securities fraud, antitrust price fixing, bar grievances, official corruption, and various other economic crimes. The firm has also handled quasi-criminal forfeitures and seizures of assets.

Appellate Practice: Two of the firm's attorneys devote their practice exclusively to appellate litigation and complex trial level motions, handling all in-house matters as well as referrals from attorneys and clients all over the United States. They practice primarily in the United States Court of Appeals for the Eleventh Circuit, the Florida Supreme Court, and the intermediate Florida District Courts of Appeal. The head of the firm's Appellate Litigation Division, Joel Eaton, also has handled appeals throughout the United States and has argued several cases before the United States Supreme Court. The firm's appellate practice mirrors the substantive diversity of the firm as a whole, and includes plaintiffs' personal-injury, malpractice, and wrongful-death cases, including aviation related matters and commercial matters of all types.

Recognition: Many of the firm members are recognized annually by their peers for their work as trial and appellate lawyers, regionally, nationally and internationally. The firm has also been recognized by numerous publications. In 2011, six of the firm's eight partners were selected by their peers for inclusion in the 'Best Lawyers in America guide'; five of the firm's partners were found to be among the 'Top Lawyers in South Florida' by the 'South Florida Legal Guide' and five of the firm's partners were named as being among 'Florida's Legal Elite' by 'Florida Trend Magazine'. See www.podhurst.com for more information.

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