

# Steven C. Dupré

SHAREHOLDER

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## Overview

Steve Dupré has more than four decades of experience as a seasoned business trial lawyer. He has represented just about every different type of business imaginable. His clients have ranged from publicly held companies to private entrepreneurs and other individuals.

Steve takes pride in being a leader for the last three decades in the use of the most current technologies and communication tools available to trial lawyers in persuading fact finders and other audiences, and to efficiently manage his practice. Steve recently has trained hundreds of lawyers both in and outside the firm on the art of “Zoom advocacy,” since most courts around the country have pivoted to the use of remote videoconferencing technology to conduct hearings, bench trials, and other proceedings ordinarily reserved for the courtrooms.

Steve has handled cases encompassing a wide range of industries and legal issues. His most recent emphasis has been on bet-the-farm, complex commercial disputes, class action defense, bad faith defense, and in representing plaintiffs and defendants in business tort, fraud, fiduciary duty, legal malpractice, business governance, and contract and partnership disputes. Throughout his career as a trial lawyer, he has prosecuted and defended against motions for temporary restraining orders and preliminary or temporary injunctions.

Steve's trials and other matters have involved an equally wide array of industries and issues, including: accounting, administrative proceedings, appeals, bankruptcy, banking, breach of fiduciary duty, business governance, civil RICO (federal and state), civil theft, computer, collection, condominium, copyright, corporate governance, deceptive practices, defamation, e-discovery, emerging technologies, eminent domain, forensic computer investigations, fraudulent transfer, homeowner association, intentional infliction of emotional distress, injunction, insurance company rehabilitation, landlord-tenant, Lanham Act, libel, licensing, limited liability company, mortgage foreclosure, noncompete claims, preferential transfer, public records, real estate, regulated industries, replevin, RESPA, secured transactions, securities, slander, software protection, tax, technology, temporary restraining orders, tortious interference, preliminary injunctions, trade secrets, UCC, and zoning laws.

## Experience

- Defeated claim that a law firm improperly paid a witness for time expended in responding to subpoenas and in giving depositions.
- Obtained a fee entitlement order for failure of limited liability company to provide records to minority interest LLC member.
- Resolved a substantial earn-out dispute between business buyer and seller.
- Obtained a final defense judgment on a claim initiated by two insurance companies for violation of Florida's Deceptive and Unfair Trade Practices Act.
- Obtained a negligence verdict in prosecution of a legal malpractice action.
- Obtained defense judgment following four-day bench trial in a fraudulent transfer and preferential transfer lawsuit brought by the state of Florida against a national bank.
- Obtained an order that client was entitled to sanctions against opposing party and counsel for pursuing a frivolous claim, following half-day evidentiary hearing.
- After five-day jury trial, obtained verdict against promissory estoppel defense to repayment of a loan, and a final judgment that employment contract was void for illegality.
- Obtained summary judgment, and appellate per curiam affirmance, in favor of county and county commissioners in lawsuit claiming violation of alleged term limit requirements.
- Represented major national retailer in breach of contract and business tort claims relative to retail shopping center.
- Represented bank against breach of fiduciary duty, fraud, and other tort and contract claims.
- Represented different business owners in business governance and termination matters.
- After multiday trial, obtained judgment defeating lease termination challenge together with substantial money judgment in favor of defendant against major golf retail company for noncompliance with lease.
- Obtained trial in contract dispute five months after case first filed and obtained defense judgment at that trial.

- Obtained with-prejudice dismissal of business tort claims asserted by one biotech company against a competitor.
- Represented defendants in a Lanham Act and defamation-based case until plaintiff voluntarily dismissed its claims to avoid having court decide defendants' motion for sanctions.
- Obtained denial of class certification in three different title insurance refinance and reissue rate lawsuits.
- Represented defendants in a contract dispute in which plaintiff chose to settle rather than hear jury publish its verdict after five-day jury trial.
- Represented major national companies in e-discovery disputes.
- Represented insurance companies in resolving various bad faith claims.
- Represented plaintiff in substantial fraud and business tort claims.
- Mediated pre-litigation business divorce between warring brothers over their real estate development business.
- Obtained jury verdict in favor of power plant construction company in federal breach of fiduciary duty claim against former CEO.
- Represented major title insurance company in mortgage fraud lawsuit.
- Represented general partner in substantial real estate partnership dispute.
- Represented insurance companies in bad faith, breach of contract, and fraud claims.
- Obtained directed verdict in favor of Florida Senate and various Florida school districts over funding distributions to school boards, after three-day trial.
- Represented software company in copyright infringement claim.
- Represented major Florida development group in breach of contract, fraud, tortious interference, and other business tort claims.
- Obtained specific performance judgment requiring turnover of private jet after three-day trial in representation of business acquisition group in fraud in the inducement claim in business asset acquisition transaction.
- Represented major medical facility in constitutional disputes with local municipality, ACLU, NOW, Planned Parenthood, and others.
- Represented famous trademark owner in infringement lawsuit against a major licensee.
- Represented Florida-based mortgage banker in effectuating rescission of federal regulation adopted by Department of Veterans Affairs.
- Represented lenders and title insurance companies in defense of RESPA class action claims.
- Obtained appellate reversal of substantial jury verdict against a property owner in a personal injury claim.
- Represented internationally recognized trademark owner in trademark infringement and contract litigation.
- Represented Florida-based bank in fraudulent transfer litigation.

- Represented national bank in one of the very first civil RICO claims filed against a bank.

## Representative Cases:

- *Higgins v. Commonwealth Land Title Ins. Co.*, No. 04-365-CA (Fla. Cir. Ct. Apr. 21, 2014) (slip op.) (summary judgment in favor of title insurer and against certified class of refinancing borrowers who alleged they had been overcharged by not being provided reissue rates for title insurance).
- *Alberton v. Commonwealth Land Title Ins. Co.*, No. 2:06-cv-03755 (E.D. Pa. Apr.25, 2014) (slip op.) (decertifying class of refinancing borrowers who alleged they had been overcharged by not being provided reissue and refinance rates for title insurance).
- *Scruggs v. Latvala*, 141 So. 3d 188 (Fla. 2d DCA 2014)
- *Corwin v. Lawyers Title Ins. Co.*, 276 F.R.D. 484 (E.D. Mich. 2011).
- *Hoving v. Lawyers Title Ins. Co.*, 256 F.R.D. 555 (E.D. Mich. 2009).
- *Lehman Bros. Holdings, Inc. v. Hirota*, No. 8:06-cv-02030, Doc. 197 (M.D. Fla. May 21, 2007).
- *Foster-Thompson, LLC v. Thompson*, No: 8:04-cv-02128, Doc. 323 (M.D. Fla. Apr. 11, 2007).
- *Gelles v. Skrotsky*, 15 F. Supp. 2d 1293 (M.D. Fla. 1998).
- *Stone-Rich Props. v. Britt*, 706 So. 2d 330 (Fla. 2d DCA 1998).
- *Gelles v. Skrotsky*, 983 F. Supp 1398 (M.D. Fla. 1997).
- *Morales v. Attorneys' Title Ins. Fund*, 983 F. Supp. 1418 (S.D. Fla. 1997).
- *In re Rutenberg*, 164 B.R. 683 (Bankr. M.D. Fla. 1994).
- *In re Rutenberg*, 158 B.R. 230 (Bankr. M.D. Fla. 1993).
- *Feather Sound Country Club v. Barber*, 567 So. 2d 10 (Fla. 2d DCA 1990).
- *Mader v. City of St. Petersburg*, 725 F. Supp. 492 (M.D. Fla. 1989).
- *In re One-Eighty Invs., Inc.*, 72 B.R. 35 (N.D. Ill. 1987).
- *In re Primack*, 81 B.R. 711 (Bankr. S.D. Fla. 1987).
- *Merchants Nat'l Bank of Mobile v. Dredge Gen. G. L. Gillespie*, 488 F. Supp. 1302 (W.D. La. 1980).

## Areas of Focus

### Practices

- Litigation and Trials
- Banking, Commercial, and Consumer Finance
- Life, Annuity, and Retirement Solutions
- Real Estate
- Securities Litigation and Enforcement
- Creditors' Rights and Bankruptcy

### Industries

- Banking, Commercial, and Consumer Finance
- Life, Annuity, and Retirement Solutions
- Real Estate
- Life, Annuity, and Retirement Solutions

- Cybersecurity and Privacy
- Distressed Asset and Workout
- Real Property Litigation
- Media, Entertainment, Music & Sports
- Title Insurance
- Life, Annuity, and Retirement Litigation
- Esports and Electronic Gaming
- Class Actions

## Insights

06.01.2020

Mastering "Zoom Advocacy"

*American College of Trial Lawyers*

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04.15.2020

Remote Proceeding Advocacy

*State-to-State*

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04.13.2020

Embracing Technology in a Changing Legal Landscape

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09.23.2015

Completing the Fee-Shifting Puzzle

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05.01.2015

Professionalism: Tips From the Bench

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01.01.1977

A Thinking Person's Guide to Entry/Exit Deregulation of the Airline Industry

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01.01.1976

Comment, The Budd Co.: The Toehold Defense to a Section 7 Attack

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# News

05.01.2020

Steve Dupré Authors Article in State-to-State on Remote Proceeding Advocacy

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07.09.2018

Super Lawyers Honors 81 Carlton Fields Attorneys on 2018 Florida “Super Lawyers” and “Rising Stars”

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08.15.2017

78 Carlton Fields Attorneys Named “Best Lawyers in America”

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06.23.2017

Florida Super Lawyers Ranks 92 Carlton Fields Attorneys as 2017 “Super Lawyers” and “Rising Stars”

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# Recognition

- AV Rated by Martindale-Hubbell
- Barney Masterson American Inn of Court “Barney” Award (2011)
- *The Best Lawyers in America*, Commercial Litigation (2005–2024)
- Florida Legal Elite, *Florida Trend Magazine* (2006–2009, 2014)
- Florida Super Lawyers, *Super Lawyers Magazine* (2007–2020)

# Professional & Community Involvement

- American Bar Association
- The Florida Bar
- Illinois Bar Association
- St. Petersburg Bar Association
- Baryshnikov Arts Center
  - Board of Directors (2015–present)
- Bayfront Health Systems Inc.
  - Board of Directors (2006–2013)

- The Florida Bar Foundation
  - Board of Directors (2019–2020)
- Florida Legal Services
  - Board of Directors (2015–present)
  - President (2019–present)
- Foundation for a Healthy St. Petersburg
  - Chair (2013–2017)
- Friends of Dance Inc.
  - Board of Directors (2003-2013)
- LiveArts Peninsula Foundation Inc.
  - Chair (2003)
  - Board Member and Executive Committee (2001–2005)
- Mahaffey Theater Foundation Inc.
  - President (October 2000–2001)
  - Board of Trustees (1997–2003)
- St. Petersburg Beach Charities Inc.
  - President (1991–1993)
  - Board of Directors (1989–1993)
- Tierra Verde Community Association Inc.
  - President, Vice President, Secretary, and Member of Board (1988–1996)

## Speaking Engagements

- "Effective Zoom Advocacy," Earthjustice (July 16, 2020)
- "Advocacy and Technology Tips When Working From Home During COVID-19 and Beyond," The Florida Bar (April 30, 2020)

## Pro Bono

- Represented special needs minor in obtaining required educational funding.
- LiveArts Peninsula Foundation Inc. – Provided legal assistance in contractual issues concerning entertainment law and other matters.
- Mahaffey Theater Foundation at the Bayfront Center Inc. – Provided legal advice in connection with dispute resolution.

# Credentials

## Education

- Northwestern University School of Law (J.D., with honors, 1977)
- University of Illinois at Urbana–Champaign (B.S., 1974)

## Bar Admissions

- Florida
- Illinois

## Court Admissions

- U.S. Court of Appeals, Third Circuit
- U.S. Court of Appeals, Fifth Circuit
- U.S. Court of Appeals, Sixth Circuit
- U.S. Court of Appeals, Seventh Circuit
- U.S. Court of Appeals, Ninth Circuit
- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Middle District of Florida
- U.S. District Court, Northern District of Florida
- U.S. District Court, Southern District of Florida

## Background

- Shareholder, Baynard, Harrell, Ostow & Ulrich, P.A., St. Petersburg, FL (1985–1994)
- Partner, Levy and Erens, Chicago, IL (1981–1985)
- Associate, Levy and Erens, Chicago, IL (1977–1981)
- Certified Public Accountant (1974)