



“Evaluated for Professionalism,
Tested for Expertise”



Donna Greenspan Solomon, Esq.

Introduction: Donna Greenspan Solomon, Esq., handles business-related appeals, mediation, and arbitration. Donna is one of only two attorneys certified by The Florida Bar as both Appellate Specialist and Business Litigator. Donna is a Certified Circuit, Appellate, and Family Mediator, and a Qualified and FINRA-Approved Arbitrator. She is also a former CPA with an MBA in finance.

After graduating No. 1 from the Shepard Broad Law Center at Nova Southeastern University, Donna clerked at the Fourth District Court of Appeal for Justice Barbara J. Pariente. Following her clerkship, Donna was with the national law firm of Edwards Angell Palmer & Dodge for twelve years before opening her own firm, Solomon Appeals, Mediation & Arbitration, in 2011.

Before becoming a lawyer, Donna was a CPA with an MBA in finance. After working for Price Waterhouse in New York City, she became a Manager of Accounting and Financial Reporting for Penn Central Corporation. After moving to Florida in 1987, Donna became an Assistant Vice President/Manager of Financial Reporting for Intercontinental Bank in Miami, and then performed financial systems analysis for American Express before entering law school.



**Licenses,
Certifications
&
Recognitions**

- Florida Bar Certified Appellate Specialist (2003-present)
- Florida Bar Certified Business Litigator (2007-present)

- Florida Bar, 1995
- Admitted to practice in the United States Supreme Court (2005), the United States Court of Appeals for the Eleventh Circuit (1997), and the United States District Court for the Southern (1998), Northern (1998), and Middle (1997) Districts of Florida

- Rated AV® Preeminent™ by Martindale Hubbell
- South Florida's Top Rated Lawyers, 2012-2013

- Florida Supreme Court Certified Circuit Mediator
- Florida Supreme Court Certified Appellate Mediator
- Florida Supreme Court Certified Family Mediator

- Florida Supreme Court Qualified Arbitrator
- FINRA-Approved Arbitrator
- Former Certified Public Accountant (NY & FL)

**Legal
Experience**

2011-Present Solomon Appeals, Mediation & Arbitration

Appellate Services

- State and federal appeals;
- Final and interlocutory appeals;
- Extraordinary writs;
- Trial support, including:
 - Drafting of jury instructions and verdict form
 - Preservation of record for appeal;
 - Post-trial/judgment motions;
- Pre-trial assistance, including:
 - Handling of all aspects of discovery, from requests through production;
 - Thorough analysis of documents and deposition transcripts, including preparation of detailed chronologies;
 - Identification of legal and factual issues;
 - Drafting of substantive motions and memoranda;
 - Legal research.



Mediation Services

(Attorney-represented parties only)

- Circuit-Civil, including insurance coverage, contract disputes, professional liability, and other business-related disputes;
- Family; and
- Appellate.

Arbitration Services

- Investment, employment law and other business-related disputes.

2009-2011

Schwarzberg & Associates

Partner

- Chairperson of firm's Appellate Practice Group.
- Counseled and represented clients in complex commercial litigation in state and federal courts at both trial court and appellate court levels.
- Handled wide variety of business disputes including contract disputes, real estate litigation, employment law, breaches of noncompete agreements, trade secrets, trademark and copyright litigation, insurance coverage disputes and bad faith, and probate litigation.
- Handled all aspects of litigation, including client relations, issue spotting and strategy, research and analysis, pleadings, discovery, dispositive motions, mediation, and resolution by settlement or trial.
- Supervised and provided training and mentoring to junior associates.

1997-2009

Edwards Angell Palmer & Dodge

Counsel

- Lead EAPD attorney for insurer in seminal construction defect coverage case, *U.S. Fire v. JSUB*, 979 So. 2d 871, 878 (Fla. 2007), where Florida Supreme Court considered applicability of commercial general liability policy to faulty work of subcontractor.
- As lead attorney for one of insurers in *Liberty Mutual Ins. Co. v. Lone Star Industries*, 290 Conn. 767 (Conn. 2009), argued to Connecticut Supreme Court the applicability of pollution exclusion to asbestos and silicosis claims.
- Represented insurer in dioxin contamination coverage dispute involving Florida Department of Environmental Protection.



- Advised and represented insurers in bad faith litigation and coverage disputes involving environmental issues, construction defects, commercial general liability, and professional liability in state and federal courts, at both the trial court and appellate court levels.
- Presented seminars for CLE for insurer clients on coverage and bad faith topics.

1995-1997 Fourth District Court of Appeal

Law Clerk

- Staff Attorney at the Fourth District Court of Appeal to the Honorable Barbara J. Pariente, now a Florida Supreme Court Justice.
- Reviewed record and appellate briefs; researched issues; prepared comprehensive bench memoranda with recommendations.
- Drafted and edited opinions.

Summer 1993 U.S. District Court, Southern, District of Florida

Intern

- Student intern to the Honorable William J. Zloch of the Southern District Court of Florida.
- Researched and analyzed legal issues arising from civil and criminal cases.
- Drafted and edited court orders.

Professional Memberships, Committees & Appointments

- The Florida Bar:
 - Business Litigation Certification Committee (2013-2016)
 - Alternative Dispute Resolution Section
 - Appellate Practice and Advocacy Section
 - Business Law Section
 - Appellate Practice Section's Outreach Committee
 - Liaison to the Business Law Section (2013-2014)
 - Volunteer Arbitrator for Grievance Mediation and Fee Arbitration Program
- Palm Beach County Bar Association:
 - Appellate Practice Section
 - Appellate Practice Committee's Website Subcommittee (2013-2014)
 - Alternative Dispute Resolution Committee (2012-2013)
 - Solo and Small Firm Practitioner's Committee (2012-2013)



- South Palm Beach County Bar Association (2013)
- Nova Law Alumni, Palm Beach Chapter President (2012-2013)
- Florida Association for Women Lawyers (FAWL), Palm Beach Chapter President (2001), Vice President (2000), Treasurer (1999)
- Association of South Florida Mediators and Arbitrators (ASFMA) (2011-2013)
- The Florida Academy of Professional Mediators, Inc. (FAPM) (2011-2015)
- American Inns of Court (Emeritus, 2012-2013; Co-Membership Chair, 2000-2001; Small Group Leader 1999-2000)
- Leadership Palm Beach County, Class of 2005.

Education

Juris Doctor

1992 - 1995 Nova Southeastern University, Shepard Broad Law Center, Ft. Lauderdale, FL

- *Summa cum laude.*
- Class Rank: No. 1 (out of 250).
- *Corpus Juris Secundum* (Highest Grade) Awards: Evidence; Legal Research & Writing; Securities Regulation; Corporate Finance; Corporate Tax; Corporate Workshop; Professional Responsibility; Criminal Procedure; Criminal Law.
- Nova Law Review, Associate Editor.

Master of Business Administration in Finance, *With Distinction*

1982 - 1985 Lubin Graduate School of Business at Pace University, White Plains, NY

Bachelor of Science in Accounting, *Magna cum laude*

1975 - 1979 State University of New York, Binghamton, NY

Awards Received

- 2008 First Annual "Shoot for the Stars" Award from Edwards Angell Palmer & Dodge LLP, presented to those whose "strength of character, courage, grit, vision, collaborative instincts and other admirable qualities . . . make awardee a role model."
- Legal Aid Society of Palm Beach County, Florida Supreme Court, and Florida Pro Bono Coordinators Association, Pro Bono Award, 2005.
- Florida Association for Women Lawyers, Public Service Committee, Battered Women Amicus Project, 2001.
- AVDA and YWCA National Domestic Violence Awareness Award, 2001.
- Legal Aid Society of Palm Beach County, "And Justice for All" Pro Bono Award, 2000.



Speaking Engagements and Publications

- “FAA Preempts Florida Law From Invalidating Arbitration Class Action Waivers as Void Against Public Policy,” *Solomon ADR Blog*, October 28, 2013.
- “Florida Supreme Court Holds That Statute of Limitations Applies to Arbitration Proceedings,” *Solomon ADR Blog*, August 20, 2013.
- “Prohibitive Expense of Arbitrating Federal Antitrust Claims on Individual Basis Does Not Overcome FAA’s Strong Mandate Favoring Arbitration,” *Solomon ADR Blog*, August 13, 2013.
- “Filing Complaint Without Simultaneously Seeking Arbitration Waivers Right to Arbitrate,” *Solomon ADR Blog*, August 11, 2013.
- “Federal Court Case Suggests Associations May Bring Declaratory Judgment Actions Where Arbitration is Otherwise Required and Class Action Arbitration Has Been Waived,” *Solomon ADR Blog*, November 9, 2012.
- “Trip and Fall Suit by Resident of Retirement Living Facility Encompassed by Arbitration Agreement,” *Solomon ADR Blog*, October 31, 2012.
- “Failure to Provide Discovery Results in Rescission of Mediated Settlement Agreement,” *Solomon ADR Blog*, October 24, 2012.
- “Homeowner Can Not Rely on Mediation Statute to Avoid Appraisal Where Premature Filing of Lawsuit Renders Statute Inapplicable,” *Solomon ADR Blog*, September 28, 2012.
- “Where Attorney’s Representation Was Term of Agreement Containing Arbitration Provision, Dispute Concerning Extent of Attorney’s Representation Was Subject to Arbitration,” *Solomon ADR Blog*, September 12, 2012.
- “Claim of Fraud Going to Contract as a Whole Is An Issue For the Arbitrator,” *Solomon ADR Blog*, July 5, 2012.
- “Second District Court of Appeal Upholds Constitutionality of Florida’s Statutory Neutral Evaluation Procedures for Sinkhole Claims,” *Solomon ADR Blog*, June 29, 2012.
- “Non-Signatory to Arbitration Agreement Can Compel Arbitration Based on Allegations of ‘Concerted Misconduct’ Between Non-Signatory and One or More Signatories,” *Solomon ADR Blog*, May 16, 2012.
- “Eleventh Circuit Finds That Where Agreement Contains Arbitration Clause, Challenges to That Agreement as Part of a Comprehensive Settlement Are Reserved for the Arbitrator,” *Solomon ADR Blog*, April 6, 2012.
- “Arbitrator Entering Default Judgment Cannot Award Unliquidated Damages Without a Hearing,” *Solomon ADR Blog*, April 5, 2012.
- “Eleventh Circuit Vacates and Remands Based on U.S. Supreme



Court Finding that FAA Preempts States from Barring Waivers of Class Action Arbitration as Unconscionable and Unenforceable," *Solomon ADR Blog*, April 2, 2012.

- "The Issue of Whether an Arbitration Agreement is Invalid On its Face is for the Arbitrator, Not the Court, to Decide, Where the Issue Has Been Delegated to the Arbitrator by the Arbitration Agreement," *Solomon ADR Blog*, March 31, 2012.
- "Where Claimant Under Personal Line or Commercial Residential Policy Requests Mediation Which is Unsuccessful, Insurer May Proceed With Contractual Appraisal Process," *Solomon ADR Blog*, March 31, 2012.
- "Court Finds Action to Enforce Guaranty is Non-Arbitrable and Thus Requires Separate Proceeding from Foreclosure Action Subject to Arbitration," *Solomon ADR Blog*, Jan. 13, 2012.
- "Second DCA Holds as a Matter of First Impression that Statutes of Limitations are Not Applicable to Arbitration Claims," *Solomon ADR Blog*, Nov. 16, 2011.
- "U.S. Supreme Court Holds FAA Compels Arbitration of Arbitrable Claims, Even Where NonArbitrable Claims May Require Separate Proceedings (Reversing FL 4th DCA)," *Solomon ADR Blog*, Nov. 8, 2011.
- "FL Mediation Rule Change," *Solomon ADR Blog*, Nov. 7, 2011.
- Presentation: *Ethics, the News Media, and the Law*, June 6, 2011.
- "Private Employers Can Deny Employment to Applicants Who Have Filed for Bankruptcy," *Schwarzberg& Associates Employment Law News Alert*, May 25, 2011.
- "New Florida Supreme Court Holding: Commercial Liability Policy Providing Coverage for 'Advertising Injury' Covers Damages for Violating Telephone Consumer Protection Act by Sending Unsolicited Advertisements by Fax", *Schwarzberg& Associates Employment Law News Alert*, January 29, 2010.
- "Florida Federal Court Holds That Insurance Policy's "Employee Dishonesty" Exclusion Bars Coverage For Employer's Losses Proximately Caused By Employee's After-Hours Theft", *Schwarzberg& Associates Insurance Coverage Law News Alert*, July 20, 2009.
- "Eleventh Circuit Certifies Questions to Florida Supreme Court: Does Florida Law Allow Claims Against Insurers for Breach of Good Faith and Fair Dealing, or Does Such Claim Constitute an Unrecognized Common Law Bad Faith Claim", *Schwarzberg& Associates Insurance Coverage Law News Alert*, July 15, 2009.
- *MC Consultant's 2nd Annual East Region Construction Defect Conference* in Boca Raton, FL on May 28-29, 2009.
- "Florida Court Finds Coverage For Faulty Subcontractor Work



Under CGL Policy," author, *National Underwriter Property & Casualty*, January 2009.

- Presentation: *Avoiding Bad Faith When Receiving a Policy Limits Demand: The 'Bad Faith Setup' & Other Hazards*, November 5, 2008.
- "Auditors' failure to issue going-concern opinion not liable for damages under 'deepening insolvency' theory," *Of Mutual Interest*, CPA Mutual Insurance Company of America, August 2008.
- "It's not just 'income' anymore" *Of Mutual Interest*, CPA Mutual Insurance Company of America, December 15, 2007.
- "Recent rulings turn tide; insurers regain some attorney-client privilege," co-author, *Daily Business Review*, August 7, 2007.
- "Florida Appellate Court Holds That Injured Third Party Suing Tortfeasor's Insurer for Bad Faith is Not Entitled to Privileged Communications Between Insured, Insurer, and their Joint or Separate Counsel," *Edwards Angell Palmer & Dodge Client Advisory*, June 14, 2007.
- "Bad Faith Claims and Discovery in the Sunshine State," co-author, *Florida Real Estate Journal*, May 31, 2007.
- "Debate continues over national catastrophe fund," co-author, *Florida Real Estate Journal*, July 1, 2007.
- "Florida Appellate Court Recognizes New Statutory Bad Faith Cause of Action in Medical Malpractice Claims," *Edwards Angell Palmer & Dodge Client Advisory*, May 22, 2007.
- "Courts May Consider Whether Cost of Repair Exceeds Value to Determine Whether Building is 'Total Loss' Under Florida's Valued Policy Law," *Edwards Angell Palmer & Dodge Client Advisory*, May 21, 2007.
- "The importance of identifying and limiting the intended users of an accountant's work product," *Of Mutual Interest*, CPA Mutual Insurance Company of America, December 20, 2006.
- Presentation: *Risk Management*, at The Economic Development Research Institute and Enterprise Development Corp. of South Florida, on September 2006.
- Presentation: "*Morning Preserves*," *A Breakfast Seminar for Trial Lawyers on the Preservation of Error*, Edwards & Angell, May 13, 2005.
- "IFRS 'Revolution' to Sweep Across the European Union," *Edwards & Angell Insurance & Reinsurance Update*, December 2004.
- "When the Domain Name of an Insured Allegedly Infringes a Trademark, Is there a Duty to Defend?" *Edwards & Angell Insurance & Reinsurance Update*, Summer 2004.



Business Experience

Senior Financial Systems Analyst

1990 - 1992 American Express, Travel Related Services Co., Inc., Ft.
Lauderdale, FL

- Ensured that new or modified financial systems incorporated all necessary control features and maintained data integrity.
- Served as liaison between financial staff and systems programmers.

Assistant Vice President – Manager of Financial Reporting

1987 – 1990 Intercontinental Bank Miami, FL

- Designed and implemented comprehensive consolidation and internal reporting system.
- Prepared financial reports for issuance externally to shareholders and regulatory agencies, including Annual Report, Form 10-K, and Form 10-Q, and internally to senior management.

Manager of Accounting and Financial Reporting

1983 – 1985 Penn Central Corporation Greenwich, CT

- Supervised corporate accounting staff.
- Performed financial and operational reviews of subsidiaries.

Staff Auditor

1981 – 1983 Chicago Pneumatic Tool Company New York, NY

- Audited various subsidiaries and reported to senior management, analyzing problem areas and recommending improvements.

Staff Accountant

1979 – 1981 Price Waterhouse and Co. New York, NY

- Audited several companies in various industries.