

14 GO-TO LAWYERS YOU WANT IN YOUR CORNER.

LEGAL EAGLES

COMPILED BY LORI JOHNSTON



Sooner or later, you're going to need a lawyer. When that happens, it's just not smart to select someone to look out for your interests from a Google search, TV ads or billboard signs—especially if your business depends on it.

You want an attorney with expertise, experience, integrity and intelligence. Those are the kinds of professionals *Gulfshore Business* has sought for its inaugural list of go-to lawyers. Consulting with pros in the legal community, we narrowed the list from hundreds of Southwest Florida attorneys.

We focused on those with board certification in the practice areas for which it is available, and Florida Supreme Court mediator certification. Board certification shows that the lawyer has been evaluated and received a stamp of approval at the highest level from The Florida Bar, a testament to the attorney's experience, competency and ethical standards.

We know that there are numerous reputable and highly competent lawyers who are not included in our 2010 list, including some considered among the best in their practice area. We hope to highlight other winning lawyers in future issues, and we welcome your suggestions.



GERALD THOMAS "JERRY" BERRY

FIRM: *Berry, Day, McFee & Martin, Naples*

YEARS PRACTICING: 30

PRACTICE AREA: *Criminal defense*

CERTIFICATION: *Florida Bar, criminal trial*

LAW SCHOOL: *Florida State University*

HONORS: 2007 *Lion of the Law* (awarded by the judiciary of Collier County for professionalism), Florida Trend magazine's *Legal Elite*, Florida Super Lawyers

Celebrities and citizens of all income levels seek legal representation from Jerry Berry. That includes a 19-year-old client charged with murder for allegedly hitting his 3-month-old child, causing a fatal skull fracture. "My experience handling child-abuse cases and navigating through the medical records will help in my efforts to find out the truth," he says. "It's not unusual in these types of cases to find out that a doctor made a misdiagnosis or a detective misunderstood the medical findings, but it takes experience and a lot of work to go through the medical records and find out what really happened." Shannon McFee, partner in Berry, Day and McFee, says Berry is the most compassionate attorney he's met. "He does not cast judgment on those that come to seek his help," he says. "Jerry is one who, no matter the circumstances, is going to fight for the underdog."



HERBERT O. BROCK JR.

FIRM: *Becker & Poliakoff*

YEARS PRACTICING: 35

PRACTICE AREAS: *Construction Law and Litigation, Insurance Claims Recovery, Personal Injury*

CERTIFICATION: *Florida Bar, construction law*

LAW SCHOOL: *Rutgers University School of Law*

HONORS: *Florida Super Lawyer 2007, 2008, 2009; American Jurisprudence Award for the study of civil procedure*

Brock resolves to gain settlements for many clients without filing a lawsuit. "This is especially true in doing work for condominium and homeowner associations, where you are dealing with a large number of people who will be affected by the decision to litigate or not," he says. "Although we often have to sue, and sue effectively when needed, that is not always in the best interests of our clients." In handling large, complex construction cases, Brock brings legal expertise as well as organization and management skills while keeping an eye on the big picture—finding solutions to construction problems. "Herb always gives the sense that he not only cares about the matter at hand but the clients' overall wellbeing," says Joe Adams, managing shareholder of the firm's Naples and Fort Myers offices. "Many of these relationships have existed for a couple of decades."



EDWARD K. CHEFFY

FIRM: *Cheffy Passidomo, Naples*

YEARS PRACTICING: 30

PRACTICE AREAS: *Civil litigation and trial practice*

CERTIFICATIONS: *Florida Bar,*

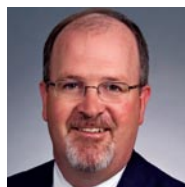
business litigation law and civil trial law

LAW SCHOOL: *Ohio State University*

HONORS: *Lion of the Law from the Collier County Judiciary, Top 100 Florida Super Lawyer, Best Lawyers in America, Fellow in the American College of Trial Lawyers*

“[RICHARD GRANT] INSTILLS A GREAT DEAL OF CONFIDENCE IN HIS CLIENTS EVEN THOUGH HE MAY HAVE TO EXPLAIN THE HARSH REALITIES OF THE SITUATION TO THEM.”

The analytical abilities that give Cheffy an edge in complex cases also played a part in his decision to move to Naples. “In the early 1980s, I was practicing in southeastern Ohio and decided I did not want to raise my family in an area that was economically depressed,” he says. “I did a demographic study to find a small city that was growing and where a young lawyer could build a practice. I found Naples, and I’ve been thankful ever since.” John P. Cardillo, a partner with Cardillo, Keith & Bonaquist, says Cheffy is one of the best lawyers he’s met, and has built a reputation on his ethical standards, strong preparation and reserved, quiet personality, evidenced by his tendency to keep his cool in tough situations. The best testament to Cheffy’s skills comes from the judges Cardillo serves with on the Florida Judicial Qualifications Commission, Cardillo says. “After Ed has defended or represented a judge before them, the commissioners themselves have said, ‘If I ever need a lawyer, this is the first lawyer I will call.’”



CARL JOSEPH “JOE” COLEMAN

FIRM: *Fowler White Boggs, Fort Myers*

YEARS PRACTICING: 23

PRACTICE AREA: *Bankruptcy and creditors’ rights, commercial litigation, employment law, mediation, arbitration and alternative dispute resolution,*

non-competition and trade-secrets litigation, real estate litigation

CERTIFICATION: *Florida Supreme Court, mediator*

LAW SCHOOL: *Florida State University*

HONORS: *The Best Lawyers in America (2006-2010), Florida Super Lawyers (2006-2009)*

Even attorneys bring their disputes to Coleman, a Florida Supreme Court-certified mediator. “That adds a whole other level of experience that he brings to the table,” says Denise Wheeler, managing shareholder in the firm’s Fort Myers office. “When clients need an aggressive response to commercial litigation, they know they can count on Joe for that. But at the same time he looks at the bigger picture of where do you want your business to be and can this litigation have a positive impact on your business going forward?” Clients, some for more than 20 years, appreciate his evaluation of cases that lead to successful verdicts. In a recent Hendry County case, for example, his client, a farmer, was accused of stealing more than \$1 million in produce in the wake of a business venture falling apart. Coleman was able to keep those “nasty allegations” from harming the client’s reputation. “My desire is to resolve the case as quickly and as cost-effectively as I can for them with as little disruption to their lives and to their business,” he says.



RICHARD C. GRANT

FIRM: *Grant, Fridkin, Pearson, Athan & Crown, Naples*

YEARS PRACTICING: 36

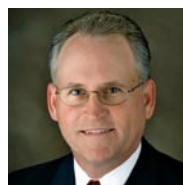
PRACTICE AREA: *Transactional real estate and corporate practice*

CERTIFICATION: *Florida Bar, business law*

LAW SCHOOL: *University of Florida*

HONORS: *Listed among Florida Legal Elite, Best Lawyers in America, Florida Super Lawyers*

A long track record in Naples has helped establish Grant’s reputation as a lawyer in whom clients can trust. In the past year, transactions he handled included the negotiation and closing of a major land sale and a major corporate stock sale for two different clients. “Both were complex and took a great deal of time, patience, skill and empathy,” he says. Grant’s calm and straightforward attitude works to clients’ benefit as he tries to do the right thing for his clients and the firm, says G. Helen Athan, a shareholder in the firm. “He instills a great deal of confidence in his clients even though he may have to explain the harsh realities of the situation to them,” she says.



THAD D. KIRKPATRICK

FIRM: *Cohen & Grigsby, Bonita Springs*

YEARS PRACTICING: 25

PRACTICE AREAS: *Real estate and general business*

CERTIFICATION: *Florida Bar, real estate*

LAW SCHOOL: *Nova Southeastern*

University Law Center

HONORS: *Florida Super Lawyer 2009*

Jack Elliott, CEO of Cohen & Grigsby, says Kirkpatrick, who previously served as counsel for companies including WCI Communities, is successful because of his ability to develop strong relationships and an in-depth understanding of clients’ needs. When the former owners of the Wiggins Pass Marina in North Naples wanted to sell their site for residential development, the challenge was that the property was zoned for a commercial marina. Kirkpatrick prepared an offering bid package that was sent to development companies with potential interest in making an offer, which included a process and timetable for rezoning the property. “There had to be enough flexibility to properly allocate risks, to allow the parties to navigate through the governmental approval process, and yet remain in contract through closing,” says Kirkpatrick, a Florida native.



MICHELLE M. KRONE

FIRM: Kubicki Draper, Fort Myers
YEARS PRACTICING: 10
PRACTICE AREA: Construction law
CERTIFICATION: Florida Bar, construction law
LAW SCHOOL: St. Thomas University School of Law

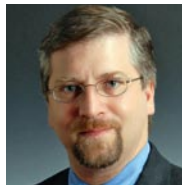
Former Miami Dolphins cheerleader Krone was in the first class of attorneys—and among only a handful of women—to achieve board certification in construction law. Her expertise has been used in litigation focused on controversial defects, such as Chinese drywall, and cases involving everything from homes to hospitals to airports. “She’s one of the leading attorneys in construction law in this state,” says Kenneth M. Oliver, managing shareholder of Kubicki Draper’s Southwest Florida office, who hired Krone 10 years ago. “She’s a tenacious litigator. She is very attentive to detail, which is necessary in that type of litigation. She has good aptitude for not only the law in construction but the mechanics of how projects are built, from the ground up.” Krone aggressively represents her clients, which include contractors, subcontractors, engineers and architects, and also collaborates with other Kubicki Draper attorneys throughout the state on construction litigation. “I love what I do and I wouldn’t be doing anything else,” she says.

JOHN E. (JACK) LONG JR.

FIRM: Long, Murphy & Long, Naples
YEARS PRACTICING: 44
PRACTICE AREA: Marital and family law
CERTIFICATION: Florida Bar, marital and family law
LAW SCHOOL: University of Miami
AWARDS: The Donald E. Van Koughnet “Lion of the Law” Award for Professionalism from the Collier County Bar Association, 2004

“THERE IS AN OLD SAYING THAT THERE IS NO SUCH THING AS AN HONEST LAWYER. THE ORIGINATOR OF THAT SAYING NEVER MET JACK LONG.”

Jack Long balances often-emotional family cases with often-complex financial negotiations to satisfy clients, having created a reputation as one of the attorneys to have on your side in a dispute. Long says he judges success in terms of client satisfaction, but that means providing clients with realistic expectations of the end result and being an objective advocate by understanding that there are three sides (his, hers and the truth) to every marriage. “Dignity is our benchmark and our goal for all clients is to get them through a difficult time with their dignity and self-esteem intact,” Long says. Partner E.F. Murphy says Long’s vast experience, knowledge, ethics and professionalism are unsurpassed. “There is an old saying that there is no such thing as an honest lawyer,” Murphy says. “The originator of that saying never met Jack Long.”



KEVIN R. LOTTES

FIRM: Quarles & Brady, Naples
YEARS PRACTICING: 15
PRACTICE AREA: Commercial and residential real estate law, real estate litigation, real estate financing

CERTIFICATION: Florida Bar, real estate
LAW SCHOOL: Cumberland School of Law, Samford University
HONORS: The Best Lawyers in America, Naples Area Board of Realtors’ 2008 Educator of the Year, Florida Super Lawyers

Cautious buyers seek the expertise of Lottes in real estate transactions, because he recognizes the realities of today’s market and the importance for him to offer solid, prompt responses and to be proactive in putting deals together. “Real estate law and real estate transactions in today’s economic market are complex and require great attention to detail,” he says. Lottes has quick wit and thinks fast on his feet, traits that add to his ability to handle complex cases. “He’s not intimidated by complex matters [and] if it’s not a clear-cut case, he’s not intimidated by that. He finds ways to help out his client,” says Timothy Haines, managing partner of the firm’s Naples office.



JEANNE SEEWALD

FIRM: Hahn Loeser & Parks, Naples
YEARS PRACTICING: 17
PRACTICE AREA: Intellectual property and business law
CERTIFICATION: Florida

Bar, intellectual property law
LAW SCHOOL: University of Arkansas at Little Rock William H. Bowen School of Law

HONORS: 2006 Attorney of the Year, Collier County Women’s Bar Association, The Best Lawyers in America, Florida Super Lawyer

Seewald is a guardian of ideas, inventions, brands, writings and other creations, and sometimes issues with those can impact a client’s business. In one situation, a client with a trademark used in its domain name began getting complaints regarding service and product quality. It turned out that customers, thinking they were buying the client’s products, had been purchasing them from a third party’s Web site with a similar domain name. Seewald was successful in having the domain name turned over to her client. “Right away, the complaints ceased and the client was able to refocus on expanding the business,” she says. She’s the attorney to call when someone in Southwest Florida has a legal question about trademarks, licensing or any other intellectual-property issue, says Andrew Krause, a partner at Hahn, Loeser & Parks. “She’s helped so many clients protect their products and protect their information.”



CHRISTOPHER SHIELDS

FIRM: Pavese Law Firm, Fort Myers
YEARS PRACTICING: 25
PRACTICE AREA: Condominium and homeowners association law, real estate development law
CERTIFICATION: Florida Bar, real estate

LAW SCHOOL: State University of New York at Buffalo

HONORS: Florida Super Lawyers

The counsel Shields provides to clients, which include more than 400 condominiums and homeowner associations, helps them assess and quantify risks—current or in preparation for the future. “Advice that I gave to developer clients five years ago when the economy was strong protected them and provided them with exit strategies when the economy later plummeted,” he says. That far-sighted outlook for his clients, combined with his multi-tasking and organizational abilities, help him deal with more than 50 different matters a day and more than 700 files a month. “The fact that he’s outgoing and interested in people makes people receptive to him,” says Diane Jensen, a partner in the firm. “He’s not satisfied with just doing a job day to day.”



LISA BARNETT VAN DIEN

FIRM: Cheffy Passidomo, Naples

YEARS PRACTICING: 13

PRACTICE AREA: Commercial and residential real estate; real estate development; community association documentation and

condominium, timeshare and fractional ownership documentation; commercial leasing; lender and borrower representation; construction contracts and lien law; and marinas and water rights

CERTIFICATION: Florida Bar, real estate; Florida

Supreme Court, circuit civil mediator

LAW SCHOOL: University of Richmond School of Law

Many people might not consider creativity a legal skill, but it’s one that Barnett Van Dien uses adeptly in her real estate practice, especially as the market has changed. She’s known as someone who can find solutions to obstacles, as in the case of a recent closing that involved the purchase of numerous properties and assets from a financially troubled company. “It took us several months just to get the contract negotiated and signed,” she says. “There were several major hurdles that had to be dealt with in order to get to closing, but we were able to resolve all of the issues and get the deal closed.”

Firm partner John Passidomo says Van Dien is an engaging person with excellent technical abilities, law proficiency and broad expertise. “She understands the kind of environment her clients are engaged in,” he says.



MATTHEW B. “MATT” WHEELLEY

FIRM: Banker Lopez Gassler, Fort Myers

YEARS PRACTICING: 28

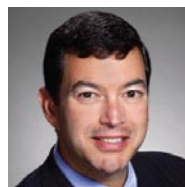
PRACTICE AREA: Workers’ compensation

CERTIFICATIONS: Florida Bar, workers’ compensation; Circuit Court, mediator

LAW SCHOOL: University of Florida Levin College of Law

HONORS: The Best Lawyers in America (2008-2009), Florida Super Lawyers (2006)

Some workers’ compensation cases sound like the making of a best-selling novel. An employee is killed on the job, but which of his multiple ex-wives and children are entitled to collect his benefits? Did an employee actually get hurt while on the job or is he milking the system? “Frankly, it can run the entire gamut, from a person who suffers a carpal-tunnel injury to someone who is killed on the job,” Wheeley says. Clients range from mom-and-pop businesses to multi-state corporations. “They actually appreciate someone who can talk to them and relate to them in a way they can understand,” he says. “I’ve heard from employers who say, ‘Geez, I just got off the phone with [another] attorney and I have no clue what he just said to me.’” Attorneys like Wheeley juggle sometimes as many as 100 cases at once and they have to keep updated on constantly changing laws, says Banker Lopez Gassler attorney Greg Lower. “[Wheeley] is not only well respected among his peer group but the Florida Bar has recognized his outstanding qualifications to be selected for that [board certification] membership,” he says.



GUY E. WHITESMAN

FIRM: Henderson, Franklin,

Starnes & Holt, Fort Myers

YEARS PRACTICING: 28

PRACTICE AREA: Taxation, estate and business planning

CERTIFICATION: Florida Bar, tax law

LAW SCHOOL: University of Michigan, University of Florida (master’s in law in taxation)

HONORS: Florida Super Lawyers

Whitesman embraces complex transactions as challenges, such as a deal his team helped close in just five weeks. They assisted the client in negotiating the letter of intent and the contract, reviewing and informing the

“WHEN [WHITESMAN’S] CLIENTS NEED HIM, HE’S AVAILABLE. IT DOESN’T MATTER IF IT’S WEEKENDS, NIGHTS, OUT OF TOWN, WHEREVER, HE’LL BE THERE.”

client along the way of the business and tax implications of the deal, and following up with post-closing requirements. “While it was a professionally rewarding challenge, the ultimate reward was the appreciation from our client in helping them achieve their goals in their timeframe,” Whitesman says. He gives clients meticulous attention to detail, a broad base of legal knowledge and the ability to identify issues before they become problems, says Denis H. Noah, the firm’s managing attorney. “One of the things that I think endears him to his clients is that when his clients need him, he’s available,” he says. “It doesn’t matter if it’s weekends, nights, out of town, wherever, he’ll be there.” **gB**