

Winter Meeting “Virtual” 2021

Business Law Section of the Florida Bar

Business Litigation Committee

Tuesday, January 14, 2021

10:00 a.m. – 12:00 p.m.

By Zoom

Giacomo Bossa, Chair
Allison Leonard, Vice-Chair
Paige Greenlee, Second Vice-Chair
Judge Darrin Gayles, Federal Judicial Chair
Judge Edward LaRose, State Judicial Chair

1. Mr. Bossa gave update concerning committee website resources and introduced the committee leadership.
2. The committee reviewed the Section Pro Bono Pledge: *The mission of the Pro Bono Committee is to achieve 100% participation in Pro Bono Service by Business Law Section members and attorneys in their firms*
3. Committee members briefly introduced themselves.
4. Approval of Labor Day Meeting Minutes
 - a. Moved: Paige Greenlee
 - b. Seconded: Amanda Fernandez
 - c. Motion passed. The Labor Day Meeting Minutes were approved.
5. Mr. Bossa reviewed the bylaws and demonstrated where they can be found on the Section webpage.
6. Listserves and other committee resources online.
 - a. Ms. Leonard reviewed the purpose of the legislative committee and encouraged members to participate by signing up for the listserve.
 - i. Sign up: <http://lists.flabizlists.org/listinfo.cgi/bizlitlegislation-flabizlists.org>
 - b. Mr. Bossa reviewed the general committee level listserv.
 - i. Sign up: <http://lists.flabizlists.org/listinfo.cgi/bizlit-flabizlists.org>
7. Mr. Bossa discussed the following legal issues raised by various committee members for informational purposes. The committee will monitor these issues and let the committee know if any changes are being proposed.

- a. Sections 607.1430 and 607.0750, Florida Statutes.
 - b. LLC Charging Order with judgment against all members – Corporations will be looking at the issue and informing this committee whether a change to the statute will be proposed.
 - c. Arbitration of company records requests – whether a general arbitration provision in an operating agreement overrides the statutory right to request corporate records. Corporations is taking a look at the issue and will report back as to whether any changes should be proposed.
8. Manny Farach gave legislative update.
- a. March 2, 2021 to April 30, 2021. Deadline to file is the beginning of the session. Section is proposing 4 bills this session.
9. Mr. Bossa gave update on Chapter 48 Task Force
- a. International Service of Process. It is the intention of the task force in proposing changes, to emulate the spirit of Rule 4 in the Fed. R. Civ. P. which enables parties to seek an exception from the Court and leave to employ specific alternative means of service according to the specific facts of the case.
10. Amicus Brief Update
- a. Discussion was had concerning the Florida Supreme Court’s recent adoption of the federal summary judgment standard. Mr. Van De Bogart gave update concerning whether a change to the rule is required as a result. He suggests a closer look is required and the committee input could be helpful. He will report back. Mr. Gross will provide update at EC as to the intentions of the Florida Bar Rules Committee concerning this matter.
11. Section Chair, Leyza Blanco and Chair-Elect Kayce Donlon gave the Section Leadership Update.
- a. All sections have been asked by the Florida Bar to increase short CLE programming for the Florida Bar website. Each substantive committee of the Section is requested to put together 1-credit CLE programs to be released one per quarter through the end of the Bar year in June. Any committee member who has an idea for a CLE is encouraged to reach out to committee leadership.
12. Updates from the non-substantive committees were given.
- a. Pro Bono - Updated Best Practices Manual - [Microsoft Word - 53680438_1.doc \(flabizlaw.org\)](#)
 - b. CLE
 - c. IMF
 - d. Membership
 - e. Miscellaneous

13. Ms. Leonard gave update concerning the committee's CLE initiative.
 - a. Business Litigation Certification Preparation Course is available for free on BLS website and consists of the three-part case-law update presented in October/November 2020. The committee will also be planning to organize at least two additional 1-credit CLEs by June per the directive from the Chair.

14. Additional reports on old matters
 - a. Amanda Fernandez gave an update on UCRERA Task Force. They will ask EC to disband the task force tomorrow.

15. New Business
 - a. Magistrate Judge Smith encouraged committee members to review amendments to the Middle District local rules. He also advised of pro bono opportunities that exist in the middle district.

 - b. Judge Gayles and Magistrate Judge Smith gave update concerning the Southern District Court and Middle District Court, respectively, and the anticipated schedule for resuming in-person proceedings and jury trials given the current state of the pandemic.

 - c. Bart Valdez gave update concerning COVID task force and advised of an upcoming survey concerning virtual practice and willingness to resume in-person proceedings. Members should fill out the survey and share with other firm members.

16. Adjournment
 - a. Moved: Maxine Long
 - b. Seconded: Jim Murphy
 - c. Motion passed and meeting was adjourned.