

BUSINESS LAW SECTION OF THE FLORIDA BAR

Business Litigation Committee

Business Law Section Annual Labor Day Retreat

August 30, 2025

9AM

Utibe Ikpe, Chair

Peter Maskow, Vice Chair

Katherine Van de Bogart, Second Vice Chair

Hon. Catherine McEwen, Judicial Chair

Hon. Darrin Gayles, Federal Judicial Chair

1. **Meeting called to order by Chair at: 9AM.**
 - a. **Introduction of Chair, Vice Chair and Second Vice Chair**
2. **Pro Bono Pledge:** Chair leads the committee in stating the 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. **Introduction of Judicial Chairs:** Chair introduces Judge Gayles and Judge LaRose who are both present for the meeting.
4. **Committee Member Introductions:** Committee members introduce themselves.
5. **Approval of Meeting Minutes:** Approval of meeting minutes from the Florida Bar Annual Conference in June 2025. Minutes are approved.
6. **Housekeeping Matters:** attendance sheet passed around
7. **Discussion Items:**
 - a. Study Group related to failed cannabis businesses: Jim Moon discussed this issue and a group was created. Jim Moon requested those interested in participating to email him and a schedule will be set up for monthly zooms to research and discuss this issue.
 - b. Study Group on Fla. Stat. §685.101 and §685.102: Professor William Hamilton discussed how several Florida appellate decisions have incorrectly paraphrased the fifth prong of the statutory test for the aforementioned statutes. He requested committee members author an article on this subject and discuss with the Legislative Committee.
 - c. Study Group on Offers of Settlement/Judgment Study Group: Joey Coleman discussed this issued and requested a task force to better understand the text of rule and create a CLE on this topic.

8. Task Force Updates:

- a. Chapter 44.104 Task Force- Allison Leonard stated that the statute has been rewritten and moved to legislation to be passed.
- b. Chapter 48 Task Force- Jim Leonard discussed that the glitch bill was passed by legislature and signed by Governor DeSantis on April 29, 2025. The glitch bill will become effective October 1, 2025.
- c. Restrictive Covenants – Brian Barrakat stated that the choice act passed in July 2025 and it substantially changes the restrictive covenant statute in Florida.
- d. Direct vs. Derivative Study Group (Fla. Stat. § 607.0750(2)(b)): Zane Katz presented on issue; no updates.

9. Substantive Committee Updates:

- a. Bankruptcy/UCC- No updated
- b. Blockchain & Digital Assets –No update
- c. Computer & Technology Law -No update
- d. Corporations, Securities & Financial Services -No update
- e. Intellectual Property -No update

10. Standing Committee Updates:

- a. Amicus- no updated
- b. CLE -Katherine Van de Bogart stated that the CLE Committee had a meeting on August 18 and there are multiple CLE's the Business Litigation Committee will be presenting in this year.
- c. Communications- no update
- d. Rules of Court- Allison Leonard stated that there would be a meeting held August 30, 2025.
- e. Legislative Committee- Peter Maskow discussed news from the Legislative Committee.
- f. eDiscovery and Digital Evidence -There was a successful seminar held and another one is planned.
- g. Pro Bono -Raina Shipman welcomed those to sign up and to author pro bono
- h. Inclusion, Mentoring & Fellowship- No update
- i. Membership- no update

11. New Business:

- a. 2025 Legislative update: will be continued from the live program from earlier this year; will be zoom format; will be half hour sessions; will be available after because it will be recorded; will focus on issues from the most recent session; case law updates; newly updated rules of civil procedure
- b. Berkowitz, Pollock, Brant CLE- presentation on “Accounting for Lawyers” to be held directly after this meeting.

12. Adjourn

