



Leonor M. Lagomasino

PARTNER

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RELATED SERVICES

- Commercial Litigation
- Life, Health, Disability & ERISA

OFFICES

- Miami
- Tampa

OVERVIEW

Leonor M. Lagomasino is a Partner in the firm's Miami office. For more than 30 years, Leonor has devoted her practice to insurers as well as businesses and individuals in a broad variety of complex matters. She joined GRSM after 17 years as a partner in Big Law preceded by 10 years as partner in a boutique litigation firm.

On the insurance defense side of her practice, Leonor has defended individual disability and ERISA-governed disability claims; beneficiary claims under life insurance policies; bad faith claims; property and casualty claims; construction defects claims; and various other first party claims involving commercial matters, including suits brought by and against condominium associations.

On the commercial litigation side, enhanced by her financial and tax accounting background, she has represented banks, commercial real estate companies, commercial property owners, and other business owners in matters involving breach of contract; leasehold disputes; breach of fiduciary duty; lender liability; corporate/partnership dissolutions and related derivative actions; appraisals of real property; bid irregularities; collections and foreclosures; and commercial real estate evictions.

Over the past fifteen years, Leonor has devoted much of her time and passion to DRI, comprised of civil defense attorneys and in-house counsel. In 2018, she was honored to be elected to a three-year term as a National Director to the Board of Directors for DRI. Immediately prior to that, she chaired DRI's Life, Health and Disability Committee and served as Program Chair for that Committee in 2015. Leo is a frequent speaker at the DRI seminars and authored the Florida law chapters for the DRI Compendiums on Life Insurance Claims and Rescissions of Insurance Policies. She has also been a member of the International Claims Association where she also spoke and wrote extensively. Until recently, she served on the board of the Deering Estate Foundation for seven years and Dade Heritage Trust for two years.

REPRESENTATIVE EXPERIENCE

Representative matters

- *Thomas v. Bradshaw*, No. 20-13471, 2022 U.S. App. LEXIS 3272 (11th Cir. Feb. 4, 2022), obtained summary judgment in favor of provider of meals to correctional institution for claims brought by inmate under Fourteenth Amendment; affirmed on appeal.
- *CanPro Invs. Ltd. v. United States*, 148 Fed. Cl. 83 (2020), In a suit for damages pursuant to a lease with government for commercial office space to house a local office of the SSA, successfully defended against the United States' challenge to breach of implied duty of good faith and fair dealing issue under 28 U.S.C.S. § 1491(a)(1)
- *Technocable Wiring Specialist v. Genesis Networks Telecom Servs.*, No. 8:16-cv-2590-T-35SPF, 2019 U.S. Dist. LEXIS 241719 (M.D. Fla. Feb. 12, 2019), Successfully dismissed breach of contract claim in case involving parties' purported agreement for the installation of fiber optic cable.
- *Berlent v. Trulee Health LLC*, No. 9:18-CV-81247-DIMITROULEAS, 2019 U.S. Dist. LEXIS 242501 (S.D. Fla. Dec. 20, 2019), Successfully dismissed amended complaint in complex wrongful termination and derivative actions brought by former CEO of health care companies; successfully later obtained dismissal of entire action for lack of subject matter jurisdiction on grounds derivative action destroyed diversity.
- *Pure Fresh, LLC v. Liaison Can./U.S. Logistics (USA) Corp.*, No. 19-cv-60079-BLOOM/Valle, 2019 U.S. Dist. LEXIS 64834, at *1 (S.D. Fla. Apr. 16, 2019), Successfully set aside default judgment entered prior to counsel's appearance in matter involving claims for violations of the Perishable Agricultural Commodities Act, 7 U.S.C. § 499a, et seq. ("PACA"), breach of contract, breach of fiduciary duty, and disgorgement.
- *Denis v. State Farm Life Ins. Co.*, 654 F. App'x 425 (11th Cir. 2016), Obtained order dismissing complaint with entry of default final judgment and award of attorney's fees for repeated discovery violations. Affirmed on appeal.
- *Krupicz v. State Farm Life Ins. Co.*, No. 14-81234-CIV-RYSKAMP/HOPKINS, 2015 U.S. Dist. LEXIS 187924 (S.D. Fla. Aug. 12, 2015) – successfully overcame challenge to subpoena on grounds of attorney-client privilege in foreign death claim.

- TLO, LLC v. Pruco Life Ins. Co., No. 13-80674-CIV-RYSKAMP/HOPKINS, 2014 U.S. Dist. LEXIS 193680 (S.D. Fla. Jan. 14, 2014) – successfully defeated challenge to multiple subpoenas in case involving rescission of multi-million dollar insurance policy
- Martin v. Nat'l Union Fire Ins. Co. of Pittsburg, PA, No. 8:13-cv-00285-T-27MAP, 2013 U.S. Dist. LEXIS 203007 (M.D. Fla. July 1, 2013) successfully defended attack on multiple subpoenas challenged on grounds of confidentiality
- Trinidad & Tobago Unit Tr. Corp. v. CB Richard Ellis, Inc., 280 F.R.D. 676, 677 (S.D. Fla. 2012) – successfully obtained order dismissing claims for negligent misrepresentation, professional negligence, and gross negligence in multi-million claim involving foreign bank's alleged reliance on appraisal prepared by defendants in entering into loan agreement.
- Kennedy v. Provident Life & Accident Ins. Co., 22 Fla. L. Weekly Fed. D424 (U.S. S.D. Fla. September 18, 2009) – obtained orders granting Motions in Limine on bad faith and claims handling procedures, consequential damages, and emotional distress in individual disability insurance claim.

PUBLICATIONS

- DRI Compendium on Life Insurance Claims, Florida Chapter
- DRI Compendium on Rescission, Florida Chapter
- ABA Compendium on ERISA, Florida Chapter

PRESENTATIONS

Ms. Lagomasino regularly speaks at industry seminars. Leo has also been a regular presenter at the DRI Life, Health and Disability Boot Camp for new practitioners in the field.

CREDENTIALS

Admissions

- Florida Bar
- U.S. District Court, Middle and Southern District of Florida
- U.S. Eleventh Circuit Court of Appeals
- Federal Court of Claims

Memberships

- Board of Directors, DRI, 2018 – 2021
- Chair, DRI Life, Health & Disability Committee, 2016 – 2018
- Program Chair, DRI Life Health & Disability Seminar, 2015
- Board of Directors, Deering Estate Foundation, 2013 – 2020
- Trustee, Dade Heritage Trust, 2018 – 2020

- International Claims Association, Law Committee
- Coral Gables Chamber of Commerce

Community Service

- Board of Directors, Deering Estate Foundation
- 100 Ladies of Deering, Deering Estate Foundation
- Trustee, Dade Heritage Trust
- Volunteer Lawyers for the Arts

Education

- J.D., University of Florida College of Law, Gainesville, Florida, 1988
 - Moot Court Competition Semi-Finalist
- B.B.A, Loyola University, New Orleans, Louisiana, 1983
 - Double Major Accounting and Philosophy

Honors

- DRI Outstanding Service Award, 2021