

LINDSAY G. MCCORMICK

SHAREHOLDER



AREAS OF PRACTICE

Architectural, Engineering & Construction
Defect Litigation
Real Estate E&O Liability

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201 E. Kennedy Boulevard
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ADMISSIONS

Florida
2010

U.S. District Court Middle District
of Florida
2011

EDUCATION

Florida State University College of
Law (J.D., cum laude, 2010)

Florida Gulf Coast University (B.A.,
magna cum laude, 2007)

HONORS & AWARDS

The Best Lawyers in America®,
Litigation - Construction
2023-2024

Florida Super Lawyers Rising Star
2014-2020

OVERVIEW

Lindsay is a member of the Professional Liability Department where the focus of her practice is construction defect litigation and general professional liability defense. In this role, Lindsay provides counsel to sub-contractors, general contractors, manufacturers, suppliers, architects and engineers in claims brought against them in a variety of construction projects and disputes. Additionally, Lindsay assists clients through pre-suit investigations and arbitrations when appropriate. Further, Lindsay is experienced in handling condominium association claims, and directors and officers claims for real estate agents, brokers and appraisers.

In addition, Lindsay is also a member of the firm's Executive Committee Advisory Council, a distinguished group of firm leaders whose purpose is to enhance the communication between the Executive Committee and younger members of the firm's professional ranks, including associates, special counsel and junior shareholders.

In 2007 Lindsay graduated from the Florida Gulf Coast University, where her major was communications. She then went on to earn her *juris doctor* in 2010 from Florida State University College of Law. While in law school, Lindsay was a law clerk for a local law firm. She was also an active member of the Student Bar Association and the Christian Legal Society, as well as staying active in the school's intramural sports.

In addition to her law practice, Lindsay is an active participant in various programs with the local pet rescue groups in the Tampa Bay Area, where she works with animal rescue shelters and serves as a foster care-taker for rescued dogs in transition, until they find adoptive homes. As well, Lindsay is active with Going the Distance Adventure Ministries, a Christian organization that among its charitable projects, is working in Costa Rica to construct an orphanage, medical center, fish farm and distribution center.

YEAR JOINED

2012

THOUGHT LEADERSHIP

Competent, Substantial Evidence Is the Name of the Game in Construction Disputes

Tampa

Architectural, Engineering & Construction Defect Litigation

April 1, 2024

It is common in construction disputes between sophisticated parties for the parties to agree to engage in a bench trial, as opposed to a trial by jury.

Florida District Court Rules Four-Year Statute of Limitations Governs Construction-Based Malpractice Claims Against Design Professionals

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Architectural, Engineering & Construction Defect Litigation

October 1, 2023

Florida Statute § 95.11 sets the statutes of limitations for numerous claims, but as it relates to construction-related professional negligence claims, there has been a dispute and uncertainty as to whether the two-year or four-year limitation pro Case Law Alerts, 4th Quarter, October 2023 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

Proposed revision to Florida statute sits before the House that would require building code violations to be “material” to trigger claim under 553.84.

Tampa

Architectural, Engineering & Construction Defect Litigation

April 1, 2023

Florida Statute 553.84 creates a cause of action for any person damaged as a result of any building code violation against any party who committed that building code violation in the construction of the building. Case Law Alerts, 2nd Quarter, April 2023 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

Trial court rules a general contractor cannot delegate its obligation to comply with Florida Building Code to its subcontractors.

Tampa

Architectural, Engineering & Construction Defect Litigation

October 1, 2022

In a recent ruling in Florida's 18th Judicial Circuit, Judge Recksiedle Case Law Alerts, 4th Quarter, October 2022 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

FL appellate court reverses summary judgment in favor of general contractor because only a portion of work by defendant required specialty certificate.

Tampa

Architectural, Engineering & Construction Defect Litigation

April 1, 2022

The interesting aspect of this case is that we are not dealing with an issue of claimed defective work or resulting damages from the work. Case Law Alerts, 1st Quarter, April

PUBLISHED WORKS

Case Law Alerts, contributor, 2018

"Construction Defect Claims and the Role of the Insurer in Early Proceedings," *Insurance Journal - Focus on Florida*, November 21, 2016

"Chapter 558 Notice and the Duty to Defend," *Defense Digest*, Vol. 21, No. 3, September 2015

"Use of Case Management Orders in Construction Litigation," *Lawyer* magazine, publication of the Hillsborough County Bar Association, February 2015

SIGNIFICANT REPRESENTATIVE MATTERS

Obtained a defense verdict at trial for an engineering client related to claims surrounding an alleged failed sinkhole repair. Claims included professional negligence for the design of the repair, as well as claims of fraud and negligent misrepresentation.

Represented framing contractor in binding arbitration initiated by a general contractor for both direct and consequential damages resulting from the construction of a multi-family building. Carried representation through issuance of Interim Award by the arbitration panel containing a favorable ruling for the client, which included a finding of waiver of all alleged consequential damages. The award spurred a reasonable settlement which the general contractor previously was not willing to consider.

Defended subcontractors in numerous cases for both direct and third-party claims relating to alleged construction defects, and including both contractual and statutory warranty claims.

Defended material manufacturer in direct claim from Condominium Association through the use of a Motion for Summary Judgment, resulting in the Association dropping a majority of the claimed damages and accepting a nominal settlement.

Employed the use of detailed damages analysis to limit potential damages alleged against subcontractor, resulting in the plaintiff accepting a minimal settlement.