

Jeffrey D. Fridkin
Florida Bar Board Certified in
Civil Trial and Business Litigation
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Professional Experience:

Jeff Fridkin is a founding member of Grant Fridkin Pearson, P.A., and has practiced law in Southwest Florida since 1985. Jeff has for over 25 years maintained an AV rating from Martindale-Hubbell. He is a Florida Super Lawyer (2006-2021) and appears in the Bet-the-Company Litigation, Commercial Litigation, Litigation-Construction, Litigation-Real Estate and Litigation-Trusts & Estates sections of The Best Lawyers in America (2006-2022). Jeff has also been named Best Lawyers Fort Myers Bet-the-Company Litigation “Lawyer of the Year” (2014), Best Lawyers Fort Myers Litigation-Construction “Lawyer of the Year” (2014, 2016, 2018), Best Lawyers Fort Myers “Lawyer of the Year” Litigation-Real Estate (2017, 2019, 2021), and Best Lawyers Fort Myers “Lawyer of the Year” Litigation-Trusts & Estates (2020). Jeff has also been designated as a Legal Elite in commercial litigation by Florida Trend Magazine (2013-2016).

On June 12, 2009, Jeff was presented with The Donald E. Van Koughnet Lion of the Law Award for Professionalism by the Judiciary of Collier County, Florida.

Jeff, a Florida Bar Board-Certified Civil Trial (since 1995) and Business Litigation (since 1996) Specialist, heads our firm’s litigation group. He has, over the years, successfully represented clients in hundreds of substantial disputed matters involving commercial, wills/trusts and personal injury fields of law.

Education

University of Missouri J.D., 1980
University of Missouri B.A., 1977

Bar Admissions

Florida
Missouri

Court Admissions

Supreme Court of the United States
U.S. Eighth Circuit Court of Appeals
U.S. Eleventh Circuit Court of Appeals

U.S. District Courts:
Middle District of Florida
Southern District of Florida
Western District of Missouri

Professional Involvement

American Board of Trial Advocates
American Bar Association (Litigation Section)
The Florida Bar (Business Law Section) (Trial Lawyers Section)
Collier County Bar Association (Trial Lawyers Section)
Michael R.N. McDonnell Inn of Court (Master Benchers)
National College of Advocacy (Advocate)

Community Involvement

Florida Gulf Coast University Foundation (1993-present), Chair Emeritus
Florida Gulf Coast University Financing Corp. (2003-2017),
Founding Member, Winged Foot Scholarship Award Foundation (1989-present)
Health Care Network of Southwest Florida Foundation Board (2015-2020)
Leadership Florida, Class XVIII
Grievance Committee, Florida Bar, Twentieth Judicial Circuit (2009-2012) Member
Lee County Port Authority, Airports Special Management Committee (2001-2011), Collier Representative
Leadership Collier Foundation (2010-2011), Chair
Greater Naples Chamber of Commerce (2006-2007), Chair
Collier County Bar Association, Trial Lawyers Section (2000), President
Economic Development Council of Collier County (1998-99), Chair
Partners in Education (1995-96), Chair
Florida Gulf Coast University Presidential Search Committee (1994, 1999), Member
Leadership Collier, Class of 1991

Practice Areas: Commercial and Probate *Litigation & Dispute Resolution*

Areas of Concentration:

Complex disputes between partners/shareholders, including derivative actions
Defense of developers against claims for rescission involving the Interstate Land Sales Full Disclosure Act
Representation of some of the community's larger general contractors and subcontractors in a wide range of construction-related disputes
Defense of agribusinesses against claims of pesticide injury and claims related to sales of defective plants
Prosecution and defense of banks for improper disbursements from customer accounts
Prosecution and defense of defamation claims
Prosecution and defense of nuisance and trespass claims
Prosecution and defense of fiduciaries
Prosecution and defense of will contests premised upon capacity and undue influence
Prosecution and defense of non-competition provisions in employment and business sale agreements
Prosecution and defense of claims for trademark and copyright infringement
Jury trial experience in a wide range of complex commercial matters, both as plaintiff's and as defendant's counsel. He has also handled numerous appeals, resulting in over 20 reported decisions in Florida, as well as reported appellate decisions in Missouri where he practiced law from 1980-1985.
Certiorari review of land use decisions by local officials
State and federal appeals

Attorney Publications/Presentations:

Jeff has been a featured speaker for The Florida Bar Business Law Section's "Business Litigation" CLE series. He is an editor for the Florida Bar practice manual, Real Property Litigation, as well as a contributing author thereto.

Representative Experience:

Successfully defended an ex-husband's estate against a multi-million dollar claim by an ex-wife's estate, which was determined to be an unknown creditor. The probate court ruling was affirmed on appeal.

Successfully obtained removal of an estate fiduciary appointed to control the estate's multi-million dollar manufacturing company asset for misfeasance, malfeasance and breach of fiduciary duty. The removal order was affirmed on appeal.

Successfully defended through appeal a personal representative of a substantial estate from removal on the grounds of alleged breaches of fiduciary duty and conflicts of interest.

Obtained summary judgment against a major national bank for substantial improper disbursements from its customer's account.

Obtained substantial commercial arbitration award for total amount of client's claim in contract dispute over unpaid profits.

Succeeded in evicting a commercial tenant, and obtaining a substantial money judgment, in a complex situation involving a landlord who was also a member of the business entity tenant.

Successfully recovered full employment benefits, plus attorneys' fees, in a highly publicized dispute between the Superintendent of Schools and the Collier County School District.

Obtained multi-million dollar jury verdict in Sherman Act Section 1 action for horizontal price fixing.

Obtained final summary judgment of a hotly contested foreclosure involving over 4000 acres of land and a debt exceeding \$50,000,000.

Obtained a substantial judgment for a subcontractor against a general contractor after an extensive trial, overcoming claims of fraudulent lien, "pay when paid" provisions, and defeating nearly \$1,000,000 in claimed set-offs for delay and other damages.

Successfully obtained removal of a trustee from a multi-million dollar trust.

Successfully obtained removal of an administrator ad litem from appointment over a significant multi-million dollar manufacturing business.

Successfully defended one of the nation's largest producers of drywall against claims of product defect, by obtaining dismissal with prejudice of over twenty federal claims without the manufacturer having to pay any amounts to the claimants.

Defended one of the nation's largest growers of tomatoes in a toxic tort case involving allegations of birth defects being caused by our client's pesticide practices which was resolved at mediation. The case involved scientists from around the nation, highly complex issues of scientific evidence, and dozens of lay and expert witnesses.

Obtained specific performance of a multi-million dollar contract to purchase land. After nearly two weeks of trial, involving hundreds of written exhibits and complex issues concerning the land use permitting process, Jeff not only obtained final judgment establishing our client's right to purchase, he also defeated the seller's counterclaim, and obtained an award of attorneys' fees and expert costs which were deducted from the purchase price. Jeff successfully defended this final judgment on appeal.

Obtained a jury verdict in favor of a hotel company against architects for professional malpractice stemming from failures to identify requirements of the Americans with Disabilities Act in permit drawings.

Obtained a substantial judgment after a bench trial for a client in a claim against an estate emanating from the decedent's breach of a prenuptial agreement.

Successfully defended through trial a client in a protracted quiet title action involving a boundary dispute.

Successfully defended the developer of a beach front residential high rise condominium through summary judgment and appeal involving allegations of violations of the Interstate Land Sales Fraud Act.

Reported Decisions:

Capital Wealth Advisors, LLC v. Capital Wealth Advisors, Inc., 335 So.3d 164 (Fla. 2d DCA 2021)
Schumann v. Collier Anesthesia, P.A., 803 F. 3d 1199 (11th Cir. 2015)
Harllee v. Procacci, 154 So. 3d 1145 (Fla. 2d DCA 2014)
Kountze v. Kountze, 93 So. 3d 1234 (Fla. 2d DCA 2012)
Kountze v. Kountze, 93 So. 3d 1164 (Fla. 2d DCA 2012)
Architectural Network, Inc. v. Gulf Bay Land Holdings II, Ltd., 989 So. 2d 662 (Fla. 2d DCA 2008)
Architectural Network, Inc. v. Gulf Bay Land Holdings II, Ltd., 933 So. 2d 732 (Fla. 2d DCA 2006)
Bevan v. Cowart, 916 So. 2d 822 (Fla. 2d DCA 2005)
Marco Island Civil Ass'n, Inc. v. Mazzini, 881 So. 2d 99 (Fla. 2d DCA 2003)
In re Estate of Tensfeldt, 839 So. 2d 720 (Fla. 2d DCA 2003)
Marco Island Civil Ass'n, Inc. v. Mazzini, 805 So. 2d 928 (Fla. 2d DCA 2001)
Shafran v. Parrish, 787 So. 2d 177 (Fla. 2d DCA 2001)
Lucas v. Barnett Bank of Lee County, 732 So. 2d 405 (Fla. 2d DCA 1999)
Collier Anesthesia, P.A. v. Worden, 726 So. 2d 342 (Fla. 2d DCA 1999)
SouthTrust Bank of SW Fla. v. Krause, 677 So. 2d 368 (Fla. 2d DCA 1996)
Ransburg v. Ransburg, 661 So. 2d 89 (Fla. 2d DCA 1995)
Coastal Computer Corp. v. Team Management Systems, Inc., 624 So. 2d 352 (Fla. 2d DCA 1993)
Momenah v. Ammache, 616 So. 2d 121 (Fla. 2d DCA 1993)
In re Estate of Ransburg, 608 So. 2d 49 (Fla. 2d DCA 1992)
Reedy v. Lull Engineering Co., Inc., 137 F.R.D. 405 (Fla. M.D. 1991)
Buerki v. Lochner, 570 So. 2d 1061 (Fla. 2d DCA 1990)
Vaughan v. Taft Broadcasting Company, 708 S.W. 2d 656 (Mo. 1986)
Alliett & Williams v. Tri-City Construction Company, 694 S.W. 2d 287 (Mo. App. 1985)