



Noelle K. Sheehan

Partner

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Noelle Sheehan focuses her practice on complex civil litigation matters from outset to conclusion in state and federal courts involving insurance and general liability defense of matters including personal injury, premises liability, product liability, wrongful death, automobile/trucking liability, negligent security, contract disputes, indemnification disputes, Americans with Disabilities Act compliance, nursing home negligence and medical malpractice. She also handles cannabis law matters.

In addition, Noelle has a breadth of real estate E&O defense experience managing and resolving claims on behalf of large national property management and brokerage firms as well as litigating disputes throughout the United States on behalf of real estate brokers, appraisers, title abstractors, home inspectors, insurance brokers, managing agents and broker-dealers. In addition to efficiently managing claims, she assists our real estate professionals in licensing and regulatory matters as well as navigating complex contractual issues, leases and agency agreements; performing due diligence related to acquisitions; helping to ensure fair housing and other applicable statutory and/or local code and regulatory compliance. Noelle's experience in the insurance and real estate industries results in spot-on analysis of liability and exposure and effective resolution strategies.

Noelle is a Florida Supreme Court Qualified Arbitrator. She is a member of Wilson Elser's National Trial Team and has achieved certification in the firm's rigorous National Mock Trial Program, through which our most successful trial lawyers impart their knowledge to those destined to join their ranks. Noelle also serves as a regional representative of the firm's Medical Malpractice and Health Care Practice.

Prior to joining Wilson Elser, Noelle was a partner at the largest minority- and women-owned law firm in the country, a full-service business law firm offering a wide variety of legal services to public and private companies, professionals, entrepreneurs and individuals. Previously, she practiced predominately in the Cleveland, Ohio, area where she handled civil litigation cases. Noelle also has experience in the rights, transfer and assignment of oil and gas leases for an Ohio energy company. As an associate attorney, she handled construction litigation, arbitration, corporate entity formation, estate planning matters, and federal and Ohio Historic Preservation Tax Credit applications, including listings on the National Register of Historic Places.

Services

- Cannabis Law
- Complex Tort & General Casualty
- Construction
- Long-Term Care
- Medical Malpractice & Health Care
- Specialty Professional Risks
- National Trial Team
- Product Liability, Prevention & Government Compliance
- Transportation

Noelle currently serves as a member of the mentoring committee of Wilson Elser's Women Attorneys Valued & Empowered (*WAVE*) initiative, which focuses on the firm's development and retention of women attorneys, enhancing and strengthening their skills and providing career-advancing opportunities in client service, business development and leadership.

Areas of Focus

Long-Term Care Facilities and Nursing Homes

Noelle represents owners and operators of long-term care facilities, assisted-living facilities and nursing homes throughout Florida in lawsuits involving allegations of medical negligence, corporate negligence, administrative negligence, inadequate staffing, wrongful death and statutory violations of residents' rights. She has developed successful strategies to position these cases substantively and procedurally for the best possible resolution. Noelle is knowledgeable in state and federal regulations regarding long-term care facilities. Nursing home litigation, fueled by the relative absence of caps and the awarding of outsized punitive damages, has increased dramatically over the past few years. Intimately familiar with related state and federal regulations, Noelle defends nursing home malpractice claims through all phases of litigation. She also implements carefully crafted strategies that are designed to limit or avoid punitive damages available to plaintiffs under statute.

Medical Malpractice

Noelle focuses on the defense of physicians and hospitals in medical malpractice cases arising in all areas of medical specialty. Her knowledge in defending medical malpractice claims coupled with the firm's heritage and continued strength in insurance defense attracts a growing clientele. To mount more effective defenses, Noelle consults medical experts from several of the nation's most respected institutions, including surgeons and professors from leading teaching hospitals and authorities from the National Institutes of Health. She knows that the best way to counter medical malpractice lawsuits is to prevent their occurrence. She recognizes when medical practice and facility operations can be modified to reduce the risk of professional liability claims, and consults in those areas.

General Liability

Upon receipt of a claim, Noelle formulates a plan designed to determine likely exposure, identify resolution options and ultimately conclude in outcomes that adhere to prescribed guidelines. She knows that her clients prefer quick and cost-effective resolutions to complex and potentially protracted liability cases and that "shelf life" is as important as any other substantive issue in handling files. Noelle accelerates turnaround through procedural dismissals, substantive dismissals, successful tenders and negotiated settlements.

Cannabis

Noelle advises medical professionals within the legalized cannabis industry and organizations outside the industry impacted by the rapidly evolving state and federal regulatory landscape. She also advises employers on cannabis coverage under state benefits, accommodation of medical marijuana and the legalities of medical marijuana.

Complex Tort

Upon gaining a thorough understanding of a client's specific requirements and areas of potential exposure, Noelle helps the client understand their risk profile and potential liability exposure. As appropriate, she assists in the development of company policies, contracts, site modifications or processes designed to reduce risk and liability exposure.

Product Liability

Noelle defends manufacturers, distributors and retailers in complex product liability litigation against allegations of defective product design, defective manufacturing,

inadequate warnings and strict liability. She has obtained a voluntary dismissal with prejudice at mediation. Noelle works closely with clients to identify potential risks involved in product use and addresses product safety and liability prevention issues as they arise. She reviews and consults on product warnings, introductions and manuals.

Construction

Noelle actively defends contractors and subcontractors in construction defect matters. She also represents companies against allegations of liability involving catastrophic bodily injury and death, ordinance and zoning violations, and statutory violations.

Negligent Security

When an incident occurs related to negligent security, Noelle conducts an on-site investigation and works with management to preserve documentary evidence. She also conducts fact witness interviews and works with third-party entities and others to obtain evidence. Noelle performs a thorough claims assessment to seek dismissal of weak elements and concentrate her defense on the more serious allegations.

Education

- Villanova University School of Law (J.D., 2005)
 - Lawyering Together (pro bono); Moot Court Competition; Research Assistant, Professor Ruth Gordon
- Boston University (B.S., 2002)
 - cum laude, Academic Dean's List; Boston University Scholarship; Golden Key National Honor Society

Bar Admissions

- Florida
- District of Columbia
- Massachusetts
- Ohio

Court Admissions

- Supreme Court of the United States
- U.S. Court of Appeals, First Circuit
- U.S. Court of Appeals, Sixth Circuit
- U.S. Court of Appeals, Eleventh Circuit
- U.S. Tax Court
- U.S. District Court, Northern District of Florida
- U.S. District Court, Middle District of Florida
- U.S. District Court, Southern District of Florida
- U.S. District Court, Southern District of Ohio
- U.S. District Court, Northern District of Ohio

Professional Affiliations

- International Cannabis Bar Association

Awards & Honors

Selected for inclusion in *The Best Lawyers in America*®, 2024

Publications

June 2023

Wrongful Death Claims: A 50-State Comparative Law Review, 2023

March 23, 2023

Florida's New Tort Reform Package: Changes Affect Admissibility of Evidence and Calculation of Medical Damages

October 11, 2022

What Florida's New Sixth District Court of Appeal Means for You

July 13, 2022

Changes to Florida's Proposal for Settlement

May 3, 2022

Florida Supreme Court Rules on Admissibility of Plaintiff's Entitlement to Past Medicare Benefits in Personal Injury Cases

January 7, 2022

Florida Punitive Damages Amendments Now Subject to Interlocutory Appeal

April 23, 2021

Florida Supreme Court Rejects Recreational Marijuana Constitutional Ballot Amendment Initiative

March 19, 2020

Navigating COVID-19 in Long-Term Care Facilities

November 21, 2019

Florida Legislature to Consider Bill Protecting Rights of Medical Marijuana Users

February 14, 2019

Weed at Work: Is Cannabis Covered Under State Benefit Programs?

SHRM News

February 13, 2019

Weed at Work: Must Employers Accommodate Medical Use?

SHRM News

February 12, 2019

Weed at Work: Is All Cannabis Illegal?

SHRM News