



Alan Fiedel

Partner

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Alan Fiedel focuses his practice on litigation and insurance. A hands-on, information-oriented attorney, he addresses matters of general liability, product liability, professional liability and trucking liability in both state and federal courts. He also handles insurance coverage issues and disputes pertaining to insurers and serves as monitoring counsel for litigation brought in the Caribbean basin and in South America against U.S.-based multinational corporations.

When retained on a case, Alan provides the client with the full picture early on and keeps them informed regularly throughout the process. He is honest in his assessment of potential liability and in weighing the strengths and weaknesses of each case in order to determine if early settlement, litigation or trial is the best means for achieving the client's desired outcome.

Publishing

Alan is the author of a host of articles for legal and industry publications, including those addressing an insured client's rights in the context of the triangular relationship between the insurer, insured and the retained counsel. He also has written about abandonment of the constructive notice requirement in premises liability cases.

Alan also has written client alerts on the repeal of Florida's joint and several liability laws; Florida's exemption for surplus lines carriers; and the Florida Legislature's reassessment of the rule governing the penalties for maintaining frivolous lawsuits and/or defenses to a claim.

Litigation

In his litigation practice, Alan has addressed matters of general liability, including premises liability, auto liability and wrongful death. For example, he represents a large nationwide courier company in personal injury and wrongful death claims arising from accidents

Services

- Directors & Officers Liability
- Complex Tort & General Casualty
- Hospitality
- Insurance & Reinsurance Coverage
- Latin America
- Product Liability, Prevention & Government Compliance
- Professional Liability & Services
- Toxic Tort
- Contractual/Extra-Contractual Liability Litigation

involving their delivery vehicles. He also handles premises liability and security matters for several large quick service restaurant chains as well as hotels and resorts in the United States and the Caribbean.

Alan's product liability representations have included manufacturers of industrial equipment, medical equipment, recreation equipment, small appliances, and video and entertainment equipment. He has particular experience in fire loss litigation. He also has litigated toxic tort matters, including mold cases in South Florida as well as past asbestos cases for an automotive manufacturer.

In the professional liability area, Alan has handled matters for architects, mechanical, structural and marine engineers.

Alan also represents a select group of Florida based private colleges/universities and private elementary/middle/high schools in defending them against property, casualty, fleet auto, educator's legal and officers & directors, crime, foreign liability, environmental, and fiduciary claims.

Insurance

Alan represents insurers as supervisory/coverage counsel, providing advice on policy interpretation, claim handling, claim resolution and bad faith avoidance. He has specific experience in claims against general contractors, material suppliers, transport service companies, title agents, lawyers, mental health care professionals, hotels and resorts, and securities brokers and dealers.

Alan represents insurers in a variety of litigation related to directors and officers claims, and also has been selected to preside over arbitration disputes between insurance carriers and policyholders.

Alan also represents a Florida-based private educational risk retention pool that offers its members property, casualty, workers' compensation, fleet auto, educator's legal and officers & directors, crime, foreign liability, environmental, fiduciary, cyber and foreign travel insurance.

In addition, Alan has handled claims related to property loss and insurance coverage involving a variety of causes and types of property.

Education

- University of Miami School of Law (J.D., 1991)
 - cum laude
- Rutgers University (B.A., 1988)
 - magna cum laude

Bar Admissions

- Florida

Court Admissions

- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Middle District of Florida
- U.S. District Court, Southern District of Florida

Professional Affiliations

- American Bar Association
- Florida State Bar Association
- Miami-Dade County Bar Association
- DRI

Awards & Honors

- Selected for inclusion in *The Best Lawyers in America*®, 2025-2026
- AV® Preeminent™ Rated by Martindale-Hubbell

Publications

April 23, 2021

Florida Supreme Court Rejects Recreational Marijuana Constitutional Ballot Amendment Initiative

November 21, 2019

Florida Legislature to Consider Bill Protecting Rights of Medical Marijuana Users

Client Wins

Fiedel, Tatarka and Helgadottir Obtain a Voluntary Dismissal with Prejudice of Lawsuit on Eve of Mediation

Alan Fiedel (Partner-Miami, FL), Gregg Tatarka (Partner-White Plains, NY) and Mal Helgadottir (Associate-White Plains, NY) secured a voluntary dismissal with prejudice in a product liability case on behalf of a U.S. distributor of a foreign manufacturer. The plaintiff contended that a defective clothes dryer caused a fire at a residential property resulting in damages exceeding \$350,000. The plaintiff initiated suit in Florida state court whereupon it was removed to federal court. Despite our expert's multiple inspections of the product and consideration of other possible sources of fire ignition, the plaintiff continued to assert blame against our client. From the start, Alan and Gregg advised the plaintiff that his client did not have a case, that his experts performed a flawed analysis and that the dryer did not cause the fire. Ultimately, counsel failed to comply with a court-imposed deadline to disclose expert reports and tried to file a unilateral motion to extend submitting his reports. The Wilson Elser team vigorously opposed the motion, calling it gamesmanship because the parties agreed on simultaneous disclosure and our client and co-defendant produced

our expert reports timely on the date ordered. Instead of responding to an order to show cause as to why counsel did not timely disclose experts, the plaintiff dismissed the lawsuit with prejudice less than 24 hours prior to a court-mandated mediation. Our client did not pay any settlement amount.