



Daniel M. Schwarz

Of Counsel

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West Palm Beach, FL – 561.345.6810

Daniel Schwarz is a seasoned appellate litigator with extensive experience across a broad spectrum of civil litigation. He has served as lead appellate counsel in more than 200 appeals before each of Florida's District Courts of Appeal and the United States Court of Appeals for the Eleventh Circuit. Daniel's practice centers on providing appellate-focused trial support in the defense of registered motor carriers and their commercial drivers in heavy truck accident litigation, as well as the defense of durable medical equipment manufacturers. Known for his meticulous attention to detail, clear and persuasive briefs, and strong oral advocacy, Daniel works tirelessly to achieve favorable outcomes for clients.

Before joining Wilson Elser, Daniel was a partner at a boutique appellate firm, where he represented property insurers, individuals, and business clients in appellate and trial-support matters. Earlier in his career, he practiced in the appellate group of Florida's largest insurance defense firm and served as a judicial law clerk to the Honorable Spencer D. Levine of Florida's Fourth District Court of Appeal.

Appellate

Throughout his career, Daniel has handled appeals and assisted trial teams in litigated claims related to first-party property insurance, medical malpractice, personal injury protection, workers' compensation, condominium and homeowners' association matters, and employment discrimination, as well as various contract and tort disputes.

Education

- University of Miami School of Law (J.D., *summa cum laude*, 2011)
- University of Florida (B.A., *summa cum laude*, 2007)

Services

- Appellate
- Complex Tort & General Casualty
- Commercial Litigation

Bar Admissions

- Florida

Court Admissions

- Supreme Court of the United States
- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Middle District of Florida
- U.S. District Court, Southern District of Florida

Clerkships

The Honorable Spencer D. Levine, Fourth District Court of Appeal, Florida

Professional Affiliations

Palm Beach County Bar Association, Appellate Practice Section

Awards & Honors

Selected for inclusion in Florida Super Lawyers® Rising Stars™, 2021-2025

Representative Matters

Secured reversal of summary judgment against first-party property insurer based on the trial court's erroneous limitations on the insurance contract's coverage exclusions and Daubert ruling striking the insurer's expert engineer.

Participated in obtaining the Florida Supreme Court's approval of a District Court of Appeal's decision holding that a public adjuster compensated by a contingent fee did not qualify as a "disinterested" appraiser, as required by insurance contract language.

Obtained reversal of judgment exceeding \$2 million based on trial court's incorrect conclusion that a condominium association improperly amended condominium documents regarding mandatory membership in off-premises fitness club.

Participated in obtaining affirmance of challenged settlement between defendant university and federal government in qui tam action against defendant under the False Claims Act.

Obtained affirmance of defense verdict in negligent security action in a case of first impression involving the extent of the defendant apartment complex's duty to the plaintiff as a trespasser.

Obtained reversal of trial court's grant of additur for reinstatement of jury verdict awarding \$5,000 in pain and suffering to motor vehicle accident plaintiff.