



Danielle T. Gauer

Of Counsel

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Danielle Gauer represents insurance carriers, including Canadian carriers and protection and indemnity (P&I) clubs on various matters involving general liability, maritime law and transportation law.

Prior to joining Wilson Elser, Danielle served as an attorney at a national litigation firm advising clients on maritime and admiralty litigation and transactional matters, including but not limited to product liability, toxic tort, marine pollution claims, towage, salvage, new builds, maritime contract drafting, shipowner limitation actions, insurance claims coverage evaluations, marina, boatyards, seaman claims, passenger claims, marine operations and risk management. Danielle also is a licensed Canadian attorney. She completed her Canadian law degree, licensing and articling in Toronto at one of Canada's leading law firms in the areas of class actions, labor and employment law, and civil litigation.

Education

- University of Miami School of Law (LL.M., 2016)
- University of Miami School of Law (J.D., 2016)
- Tulane Law School (Summer Study Abroad, Rhodes, Greece, 2015)
- University of Ottawa Faculty of Law (J.D., 2013)
- Ryerson University (B.A. Criminal Justice, *with honors*, 2010)

Bar Admissions

- Florida
- Ontario, Canada

Services

- Admiralty & Marine
- Canada
- Complex Tort & General Casualty
- Transportation

Court Admissions

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

Professional Affiliations

- Southeastern Admiralty Law Institute, Board Member, Editorial Committee
- The Law Society of Ontario, Canada
- Florida Bar Admiralty Law Committee, Young Lawyer Division
- Maritime Law Association of the United States
- American Bar Association, Tort Trial and Insurance Practice Section, Admiralty and Maritime Law Committee
- Fort Lauderdale Mariners Club

Awards & Honors

- Selected for inclusion in The Legal 500 United States in Shipping Litigation & Regulation Tier 3, 2023-2025
- Selected for inclusion in Florida Super Lawyers® Rising Star™, 2022-2025

Languages

- French

Client Wins

Gauer, Papasakelariou & Del Gatto Score Voluntary Withdrawal of Significant Exposure Case for Canadian Client

Danielle T. Gauer (Of Counsel-Miami, FL), Maria Papasakelariou (Associate-Miami, FL) and Brian Del Gatto (Partner-Phoenix, AZ) secured a voluntary dismissal on behalf of a Canadian insurance carrier doing business out of Nova Scotia, Canada. The plaintiff, a resident of Nova Scotia and the insured, sought uninsured and underinsured motorist coverage related to an accident that occurred in Florida against a policy with \$1+ million in potential benefits. The team filed a motion to quash service of process and a motion to dismiss for lack of personal jurisdiction and forum non conveniens, arguing that the plaintiff inappropriately served the insurance company by attempting to serve a completely unrelated U.S. entity. The application of the law of Nova Scotia by a court located in the province, coupled with the fact that all potential witnesses are Canadian and the evidence is located in the province, makes Nova Scotia the more appropriate forum for this dispute. The team proved that the Canadian company was in fact completely separate from the U.S. insurer of a similar name. The plaintiff's response to our motion tried to make the

argument that the affidavit of the insurance adjuster was not legally sufficient under the law as the adjuster did not have personal knowledge of the matter. Furthermore, the plaintiff argued that Canada is not an adequate alternative forum because the insurance carrier should step into the shoes of the owner of the uninsured or underinsured vehicle. However, the cases cited by the plaintiff failed to involve a non-U.S. or foreign insurance carrier. Finally, on the eve before the hearing, the plaintiff's counsel filed a notice dismissing our client. This continues our string of success in protecting our Canadian clients from being hauled into courts like Florida without proper grounds.