

James M. Kloss

Partner

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Orlando, FL – 407.203.7559

James Kloss handles a wide variety of complex matters, with a concentration in general liability, commercial litigation, premises liability, products liability, construction, transportation, insurance coverage and defense and appellate practice. He also has extensive litigation experience in federal courts. Jim has represented various entities, including hospitals, banks, pharmaceutical companies, municipalities, the State of Florida and other large corporations.

Prior to joining Wilson Elser, Jim represented employers in labor and employment matters, including numerous age, sex and race discrimination lawsuits, along with wage and hour disputes. He was also involved in several high-profile civil rights cases for the state that helped shape the law in a number of important areas.

Jim's attention to detail in his preparation and his advocacy skills are evidenced by his record of success. He believes in aggressive representation and strong, effective communication with clients. Jim is a marathon runner and is involved in various charitable organizations within his community.

Education

- University of Florida, Frederick G. Levin College of Law (J.D., 2001)
 - senior articles editor, Florida Law Review
- Governors State University (B.A.)

Bar Admissions

- Florida

Court Admissions

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

Services

- Accountants
- Appellate
- Cannabis Law
- Commercial Litigation
- Complex Tort & General Casualty
- Construction
- Employment & Labor
- Insurance & Reinsurance Coverage
- Insurance & Reinsurance Defense
- Contractual/Extra-Contractual Liability Litigation
- National Trial Team
- Product Liability, Prevention & Government Compliance
- Transportation

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

Professional Affiliations

- Orange County Bar Association
- Florida Defense Lawyers Association
- Defense Research Institute

Awards & Honors

- Selected for inclusion in *The Best Lawyers in America®*, 2023-2026

Client Wins

Kloss, Walters & Turtle Defeat Premises Liability Claim Based on the Plain Language of Our Client's Contract

James Kloss (Partner-Orlando, FL), Rachel Walters (Of Counsel-Miami, FL) and Claire Turtle (Associate-Orlando, FL) were brought into a slip/trip-and-fall case on the eve of trial to represent the janitorial services company at a mall. While the court recognized it was unfair to have a trial on such short notice, the case was on the Florida Supreme Court's list and, as such, the court did not have the freedom to continue the case. The team was unable to retain experts (but did share experts already retained by the co-defendant) or depose the plaintiff due to the limited time frame before trial. The plaintiff's most recent demand to our client was \$1.2 million. The plaintiff alleged he tripped and fell over an outlet in the carpet flooring of the mall premises. The plaintiff claimed our client owed a duty to notify the mall of a dangerous condition, and to reasonably maintain the area. The team filed a motion for summary judgment on lack of duty, arguing our client owed no duty based on its contract language and the scope of janitorial services. Per the limited contractual services, our client was under no duty to reasonably maintain the premises. The motion was heard less than a month before trial, and the judge granted the motion finding "based on the plain language of the contract, [the janitorial service] was under no duty to reasonably maintain the premises."