



Kathy Arline

Of Counsel

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Kathy Arline has several years of experience in the insurance industry handling complex coverage and liability issues as well as personal injury, casualty and property loss claims. Her insurance experience reinforces her understanding of insurers' requirements so she is able to provide responsive service with cost-effective results to her clients. Kathy is a civil litigator skilled in arbitration, mediation, alternative dispute resolution and negotiating settlements. She has more than 14 years of business experience, including retail management, project management/engineering, and insurance. Her multidisciplinary background gives her a keen insight into the inner workings and the dynamics of a business. Kathy offers clients a unique skill set and business-focused perspective to assist in advancing their legal objectives.

While in law school, Kathy was a member of the Corporate and Securities Litigation Group, and volunteered at Three Rivers Legal Services Clinic. She received a Certificate of Outstanding Achievement in Pro Bono Work. Kathy served as a judicial law clerk to the Honorable Bernard C. Silver at the Thirteenth Judicial Circuit.

Cybersecurity & Data Privacy

Kathy handles sensitive situations arising from the misuse of computers and related technology. In the context of data security and privacy incidents, Kathy represents clients in connection with immediate incident response, oversees remediation, advises clients on compliance with incident reporting obligations, and represents clients in connection with related government investigations commenced by various state and federal authorities and agencies.

Complex Tort & General Casualty

Kathy has extensive experience with claims involving uninsured motorists, personal injury protection, automobile and trucking accidents, slip and falls, and other general premises liability claims.

Services

- Cannabis Law
- Commercial Litigation
- Complex Tort & General Casualty
- Construction
- Cybersecurity & Data Privacy
- e-Discovery
- Hospitality
- Lawyers' Liability
- Life Sciences
- Product Liability, Prevention & Government Compliance
- Professional Liability & Services
- Transportation

Trucking, Transportation and Cargo

Kathy has defended national long-haul and local trucking companies and livery fleets in catastrophic personal injury, wrongful death, uninsured motorist, no-fault and PIP subrogation cases. Her proactive, hands-on approach and knowledge of the business underscore her understanding of the unique issues facing the industry, first- and third-party liability, subrogation issues, and the interplay of legislation surrounding vehicle operation and ownership responsibility. She is a pragmatic counselor and zealous advocate, and her experience handling related issues at two major insurance companies gives her an edge to be cognizant of the underlying costs of litigation and the impact these costs can have on the business models and forecasts of clients and insurers.

Product Liability

Kathy represents manufacturers in litigation involving state-of-the-art products, novel technology, medical devices, industrial equipment, food products, electronic equipment, tires, and retail products such as toys. Kathy keeps current with the latest regulations and case law affecting the various sectors.

Life Sciences & Medical Devices

Kathy's practice evolves with her clients' involvement in developing technologies and in the life sciences arena. She monitors advances in the field to determine the implications for product liability exposures. Her clients include medical device manufacturers and pharmaceutical companies.

e-Discovery

Kathy is a member of the firm's e-Discovery practice group which handles all topics relating to electronically stored information (ESI). Kathy has handled all aspects of ESI including, electronic document review on large-scale review projects. The group counsels clients on electronic document retention issues and designs legal hold procedures to assist clients with defensible and cost-effective ESI preservation.

Premises Liability

Kathy defends commercial property owners, national retailers, bars and restaurants in a multitude of premises liability matters, including but not limited to trip and falls, slip and falls, premises security, catastrophic fires, and intentional tort litigation. Kathy spearheads the investigation, and executes an informed strategy and ultimate successful defense for early resolution of the cases. She is regarded for her strategic and economically designed defense strategies which lead to favorable results.

Long-Term Care Facilities and Nursing Homes

Kathy 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 for early resolution.

Federal Litigation

Kathy defends a large volume of federal actions involving allegations of negligence,

vicarious liability, and dangerous instrumentality. Kathy has also defended violations of the Racketeer Influenced and Corrupt Organizations Act, (RICO) and successfully obtained successful results at the early stage preventing the potential exposure from escalating into the millions.

Commercial Litigation

Kathy represents clients in a range of commercial and business disputes, including business torts, unfair competition, shareholder disputes, securities litigation, various commercial real estate disputes, professional liability, breach of contract, insurance coverage and other matters. She has obtained successful results at early stages in the litigation. Her clients represent a broad range of industries and businesses of all sizes.

Cannabis & Hemp Law

As a member of the firm's Cannabis Law practice group, Kathy helps clients navigate the challenging new risk management, business practices and insurance landscape presented by the rapidly developing area of Cannabis and Hemp Law. The group works with licensed cannabis operators to help them comply with their obligations under the law and to develop risk management best practices. The group advises companies on the rapidly evolving area of hemp-derived cannabidiol (CBD) and the interplay with U.S. food and drug laws. The group regularly advises insurance companies on cannabis-related underwriting practices and the development of new policy forms. The firm also works with financial institutions and professional services firms on best practices for operating in a challenging regulatory environment.

Construction & Construction Defect

Over the course of Kathy's career, she has worked with commercial and residential real estate developers, construction managers, general contractors, subcontractors, service providers and insurers toward the resolution of complex claims and commercial issues. Her knowledge of the development and maintenance of properties enables her to effectively defend her clients in all areas of potential litigation as warranted by their business models, including claims involving elevator liability, municipal liability, transportation liability, premises and security liability, and all aspects of commercial and residential development matters.

Hospitality

Kathy handles cases involving liquor liability, negligent security and premises liability among other issues, for hotels, restaurants, resorts, outdoor recreational companies, golf courses and country clubs, condominiums and timeshares.

Professional Liability / Lawyers' Liability

Kathy represents a range of individuals and companies in professional liability matters, including lawyers, real estate agents, property appraisers, architects, engineers, and other professionals for the defense of claims against professional negligence.

Education

- University of Florida, Frederick G. Levin College of Law (J.D., 2011)
- University of Miami (B.B.A., 1997)

Bar Admissions

- Florida

Court Admissions

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

Professional Affiliations

- Florida Association for Women Lawyers
- Hillsborough County Bar Association
- American Bar Association

Awards & Honors

- Selected for inclusion in The Best Lawyers in America® Ones to Watch™, 2024-2025
- Selected for inclusion in *The Best Lawyers in America*®: Ones to Watch in the area of Commercial Litigation, 2021-2023
- *Project & Risk Management* Certificate: Contracts, Liability and Insurance

Representative Matters

Obtained summary judgment in favor of a probate lawyer in a legal malpractice action involving the drafting of wills.

Obtained a defense verdict in an alleged food poisoning case involving sushi sold at a supermarket; plaintiff was claiming permanent injuries.

Obtained a defense verdict in a wrongful death claim despite defending a 19-year-old driver of a jeep with oversized tires who admittedly drank alcohol just before driving home after midnight on New Year's Eve.

Client Wins

Benford and Arline Obtain Dismissal with Prejudice in RICO Violation Case

John Benford (Of Counsel-Orlando) and Kathy Arline (Associate-Orlando) obtained a dismissal with prejudice on behalf of a major insurance company, in a case where the plaintiff alleged multiple RICO violations in the U.S. District Court for the Middle District of Florida. Plaintiff, an owner and operator of a catering company, claimed to have sustained a left-hand injury and psychological symptoms stemming from his injuries, which precluded him from working. The plaintiff sought \$7.4 million in damages; this was the plaintiff's third attempt at the Complaint. The plaintiff asserted that he was entitled to relief for Florida workers' compensation benefits through the Federal Court under RICO because each defendant had committed at least two or three intentional racketeering torts

that resulted in the diminution of his benefits. John and Kathy moved to dismiss plaintiff's allegations of RICO violations, negligent infliction of emotional distress, intentional infliction of emotional distress and violations of Florida's criminal statute § 817.234 F.S. (false and fraudulent insurance claims), and federal criminal statute 18 U.S.C. § 1343 (fraud by wire, radio, or television). They argued the Court had no subject-matter jurisdiction, removal was inappropriate because there was no underlying action pending in Florida and plaintiff failed to plead sufficient facts to establish a cause of action. With regard to the RICO claims, John and Kathy argued, in part, that the plaintiff had not plausibly alleged an injury to business or property under RICO. The Court agreed on all counts and dismissed the plaintiff's Second Amended Complaint with prejudice, in its entirety.