



## Thomas F. Icard, Jr.

Shareholder

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### PRACTICES

- Business disputes and transactions, with emphasis on construction related matters
- Mediator and Arbitrator

### INDUSTRIES

- Construction
- Development
- Real Estate
- Insurance

### BAR ADMISSIONS

- Florida

### COURT ADMISSIONS

- U.S. Supreme Court
- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Courts, Middle, Southern and Northern Districts of Florida
- Florida State Courts

### Practice Experience

- Tom Icard focuses his nationally recognized practice on construction related matters, from review of contract documents to claims negotiation and multi-party litigation (2018 and 2016 *Best Lawyers in America* Sarasota metro area “Construction Lawyer of the Year”). He is also regularly engaged as a neutral in alternative dispute resolution (ADR) proceedings in construction cases and in a broad range of other civil disputes (2012 *Best Lawyers in America*, Tampa metro area “Mediation Lawyer of the Year”).
- Mr. Icard is a Diplomate of the Florida Academy of Professional Mediators, as well as a member (by invitation) of the Florida Circuit Civil Mediator Society and the National Academy of Distinguished Neutrals. He has served as a single arbitrator and as the chief arbitrator on a panel of three in matters involving major property damage claims, insurance coverage, securities, estate litigation and other business disputes. He also has experience as a court appointed Special Master in federal proceedings.

### Representative Matters

- He has represented both public and private owners, as well as developers, contractors, subcontractors and design professionals with respect to the construction of industrial facilities, airports, power plants, municipal sewer systems, hospitals, office and condominium buildings. His trial and ADR experience also includes employment, land use, condemnation, securities, shareholder derivative actions, limited liability company claims, corporate, personal injury, wrongful death, products liability and professional malpractice in matters with exposures ranging from \$25,000 to over \$50 million.

### Professional Recognition

- Florida Bar Board Certified in both Civil Trial Law and Construction Law (one of only ten attorneys in Florida)
- “AV”<sup>®</sup> Preeminent<sup>™</sup> Peer Review Rated, Martindale-Hubbell<sup>®</sup> (1984 to present)
- Selected by his peers in the legal professional as among The Best Lawyers in America<sup>®</sup>, 2006 to 2018; listed in both Construction Law and Alternative Dispute Resolution



- 2018 *The Best Lawyers in America*® Sarasota metro area "Construction Lawyer of the Year"
- 2016 *The Best Lawyers in America*® Sarasota metro area "Construction Lawyer of the Year"
- 2012 *The Best Lawyers in America*® Tampa metro area "Mediation Lawyer of the Year"
- Selected by his peers for inclusion in Florida Super Lawyers®, 2006 to 2017
- Selected by his peers for inclusion in Florida Trend's 2011 and 2014 Florida Legal Elite
- Ranked among the top construction lawyers in Florida in surveys conducted between 2003 and 2010 of clients and attorneys statewide, as published in Chambers, USA, The Client's Guide to America's Leading Lawyers for Business®
- Florida Supreme Court Certified Circuit Civil Mediator since 1993 in all of the Circuit Courts of Florida and in the Federal District Court for the Middle District of Florida
- Diplomate of the Florida Academy of Professional Mediators
- Member (by invitation) of the Florida Circuit Civil Mediator Society
- Member (by invitation) of the National Academy of Distinguished Neutrals
- Certified Appellate Mediator, 2011
- Qualified to accept Florida Circuit Court appointments as a binding arbitrator or trial resolution judge (pursuant to Fla. Stat. §44.104)
- Former member of the Panel of Arbitrators of the American Arbitration Association (1993 to 2001) and a former member of the Public Arbitration Panel of the Financial Industry Regulatory Authority (FINRA, formerly NASD; 2001 to June, 2015)
- Proctor in Admiralty, The Maritime Law Association of the United States (MLA) (1981 to 1992)
- Bronze Award, Legal Aid of Manasota (recognized for 20 to 49 hours of pro bono legal services) (2011 through 2015)
- Chair, Forum on the Construction Industry of the American Bar Association (1990)
- Fellow and Life Member, American Bar Foundation
- Member, Executive Council, Trial Lawyers Section of The Florida Bar (1995)

- Fellow, Florida Bar Foundation
- President, Hillsborough County Bar Association (1987)
- Chair, United Way Attorneys Division, Hillsborough County (1986)
- Leadership Florida Program of the Florida Chamber of Commerce (1984 to present)

### **Speaking Engagements**

- “Florida Construction Lien Law – What You Should Know, What You Don’t Know and Why It Matters”, Gulf Coast Builders Exchange, May, 2017
- “Construction Contracts, Statutory Limitations, Warranties and Strategies to Avoid Disputes”, Gulf Coast Builders Exchange, Sarasota, October, 2016
- “Statutory Prompt Payment Provisions” and “Florida Construction Lien Law – Ethical Issues and Related Considerations,” Lorman Education Services, Sarasota, November, 2011
- “Mediation of Construction Disputes,” Hillsborough County Bar Association, Construction Law Section, Tampa, February, 2011
- “Advanced Litigation Skills Training: Selecting, Preparing, Attacking and Defending Expert Witnesses,” 3rd Annual Construction Law Institute, The Florida Bar, Orlando, April, 2010
- “Florida Law for Design Professionals,” Lorman Education Services, Sarasota, 2002
- Co-Chair and Presenter – “Taking the High Road”, annual professional ethics program of the Trial Lawyers Section of the Florida Bar, Miami, Tampa, Jacksonville, and Orlando, 1997 to 2000
- “Sick Building Syndrome – A Primer for Owners, Contractors, Designers and Attorneys,” The Construction Superconference, San Francisco, 1994
- “Sick Building Syndrome and Building-Related Illness Claims,” EnviroSense, St. Petersburg, 1993
- “Indoor Air Quality – Liability Issues for the Construction Industry and Design Professionals,” The Florida Bar, Tampa, 1993
- “Bid Protests on Public Jobs,” Associated General Contractors of Mid-Florida Annual Management Forum, Tampa, 1992
- “Florida Construction Lien Law,” Hillsborough County Bar Association, Tampa, 1991



- “State of the Forum/Overview of the U.S. Construction Industry and the Construction Bar,” Forum on the Construction Industry of the American Bar Association Annual Meeting, Boston, 1990
- Co-Chair and Presenter, “Current Issues in the Construction Industry – Point and Counterpoint,” Forum on the Construction Industry of the American Bar Association Annual Meeting, Tampa, 1988
- “Florida Construction Law: What Do You Do When. . . ?” National Business Institute, Jacksonville, Orlando, Tampa, and Fort Myers (annually, from 1986 to 1994)
- “Voir Dire, Direct and Cross Examination,” Hillsborough County Bar Association Civil Trial Seminar, Tampa, 1986

### **Publications**

- Co-author, “Sick Building Syndrome and Building-Related Illness Claims: Defining the Practical and Legal Issues,” The Construction Lawyer of the Forum on the Construction Industry of the American Bar Association, October, 1994
- “Construction Law – An Overview,” Florida Constructor (Magazine for Florida’s Commercial, Industrial and Highway Builders), September/October, 1990
- Contributor, Florida Construction Law: What Do You Do When...?, National Business Institute, 1986 to 1994
- Guest Editor and Contributor, The Florida Bar Journal, symposium issue concerning revisions to the Florida Constitution, October, 1978
- “The Applicability of Florida Direct Action in the Law of Admiralty,” 1 Florida State University Law Review 335 (1973)

### **Background**

- Captain, U.S. Army Reserve, (1972-1980)
- Joined the Tampa office of the Carlton Fields law firm in 1973, became a shareholder in 1979 and practiced there until 1995

### **Education**

- Florida State University College of Law (J.D., 1973)
  - Notes and Comments Editor, Florida State University Law Review (1972-73)
- Mercer University (B.A., 1970)