



Thomas F. Icard, Jr.

Shareholder

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PRACTICES

- Complex civil litigation and contract review, with emphasis on construction related matters
- Mediator, Arbitrator and Special Master

INDUSTRIES

- Construction
- Design
- 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
- All Florida trial and appellate courts

Experience

- Tom Icard focuses his nationally recognized practice on construction related matters, from review of contract documents to claims negotiation and complex, 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").
- Tom is a Diplomat 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 and other business disputes. He also has experience as a court appointed Special Master in federal proceedings.

Representative Matters

- Tom has represented both public and private owners, developers, contractors, subcontractors, design professionals and sureties with respect to the construction of airport, power plant, municipal sewer system, port, highway/infrastructure and hospital facilities, as well as hotel, office and condominium buildings, the latter including turnover. Tom has also served as the neutral on a broad spectrum of more than 400 construction and other matters ranging from 2 to 19 parties, including jail, underground construction, underwater tunneling and well drilling projects.
- His trial experience as an advocate and his ADR experience as a neutral also includes employment, land use, condemnation, estate litigation, limited liability company and shareholder derivative actions, corporate and other commercial disputes, as well as personal injury, wrongful death, products liability, medical device/implant claims and professional malpractice in matters with exposures ranging from \$25,000 to over \$50 million.

Certifications and Honors

- Florida Bar Board Certified Civil Trial Lawyer and Florida Bar Board Certified Construction Lawyer (one of 10 in Florida)
- Florida Qualified Arbitrator since 1994
- 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
- Florida Supreme Court Certified Appellate Mediator since 2011
- Special Master, Fellow, Academy of Court Appointed Masters, since 2013
- Member, Committee on Special Masters of the Lawyers Conference of the American Bar Association Judicial Division, 2019 to present
- Chair, Magistrate Judge Merit Selection Panel, U.S. District Court, Middle District of Florida (2009)
- Chair, Forum on Construction Law of the American Bar Association (1990)
- Member, Executive Council, Trial Lawyers Section of The Florida Bar (1995)
- President, Hillsborough County Bar Association (1987)
- “AV”® Preeminent™ Peer Review Rated, *Martindale-Hubbell*®, 1984 to present
- Selected by his peers in the legal profession as among *The Best Lawyers in America*®, 2006 to 2020; listed in both Construction Law and Mediation
- Selected by his peers for inclusion in *Florida Super Lawyers*®, 2006 to 2019
- 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*®
- Bronze Award, Legal Aid of Manasota (recognized for 20 to 49 hours of pro bono legal services) (2011 through 2018)

Other Professional and Community Affiliations

- Member, Board of Directors, The John and Mable Ringling Museum of Art Foundation, Inc., 2017 to present
- Member, Board of Directors, Bay Area Legal Services, Inc., an LSC non-profit corporation that provides legal services to the indigent (2004 to 2018)
- Leadership Florida Program of the Florida Chamber of Commerce, 1984 to present
- Member, Panel of Arbitrators of the American Arbitration Association (1993 to 2001)
- Member, Public Arbitration Panel of the Financial Industry Regulatory Authority (FINRA, formerly NASD; 2001 to 2015)
- Proctor in Admiralty, The Maritime Law Association of the United States (MLA) (1981 to 1992)

- Fellow and Life Member, American Bar Foundation
- Fellow, Florida Bar Foundation
- Chair, United Way Attorneys Division, Hillsborough County (1986)

Representative Presentations

- “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 to 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)