

People

## Nancy A. Copperthwaite

Partner, Litigation  
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Nancy Copperthwaite litigates complex disputes, including class actions and appeals, and advises employers on employment law issues. She has handled more than 300 appeals and has argued in five of Florida's six district courts of appeal (DCA) as well as in the United States Court of Appeals for the Eleventh Circuit.

Ranked by *Best Lawyers in America* for appellate work, her diverse experience includes handling appeals of bankruptcy proceedings, class actions, complex commercial matters, employment disputes, land use matters, real estate litigation and securities cases. She served as Chair of the Appellate Court Committee of the Dade County Bar Association.

### Notable Work

**Class Actions:** Represented an insurer in an appeal challenging the interpretation of an amendment to the Florida PIP Statute relating to emergency medical care. *Enivert v. Progressive Select Ins. Co.*, 809 F.3d 583 (11th Cir. 2015)

**Class Actions:** Represented an insurer in a case of first impression involving a claim for an opt-out class. *Bay Area Injury Rehab Specialists Holdings, Inc. v. USAA*, 173 So. 3d 1004 (Fla. 2d DCA 2015)

**Due Process:** Represented a client in an appeal of post-trial proceedings seeking to impose liability on multiple non-parties for a default judgment of \$1.1 billion in a wrongful death suit. *General Electric Capital Corp. v. Shattuck*, 132 So. 3d 908 (Fla. 2d DCA 2014)

**International Disputes:** Represented a Brazilian corporation seeking to enforce a settlement agreement in Florida. *Luxor Agentes Autonomos de Investimientos, Ltda. v. Intertransfers, Inc.*, 638 F. App'x 925 (11th Cir.), cert. denied, 136 S. Ct. 2493 (2016)

### Areas of Experience

Appellate  
Litigation  
Commercial Disputes  
Class Action Defense  
Corporate Theft  
Employment Litigation  
Insurance Fraud

### Education

J.D., Harvard Law School, 1984, cum laude  
A.M., University of Pennsylvania, 1980  
A.B., Princeton University, 1978, magna cum laude

### Admissions

#### Bars

Florida

#### Courts

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

### Related Content

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141 Akerman Lawyers Across the United States  
Named to 2021 *Super Lawyers* and *Rising Stars* Lists  
September 30, 2021

**Antitrust:** Represented Nielsen in a case of first impression relating to standing under the federal and Florida antitrust laws. *Sunbeam Television Corp. v. Nielsen Media Research, Inc.*, 711 F.3d 1264 (11th Cir. 2013)

**Civil Rights:** Represented a governmental client in a case of first impression regarding the intra-corporate conspiracy doctrine for a civil rights conspiracy claim. *Dickerson v. Alachua County Comm'n*, 200 F.3d 761 (11th Cir. 2000)

**Class Actions:** Represented an insurer in a proposed class action disputing the refund of a homeowners insurance policy. *Gordon v. Universal Prop. & Cas. Ins. Co.*, 204 So. 3d 167 (Fla. 4th DCA 2016)

**Class Actions:** Represented an auto insurer in an appeal of a case challenging rates. *Lepore v. State Farm Mut. Auto. Ins. Co.*, 104 So. 3d 1106 (Table), 2012 WL 4513151 (Fla. 4th DCA 2012)

**Class Actions:** Represented an auto insurer in an appeal from the dismissal of a class claim. *Integra Health Servs., Inc. v. Progressive Am. Ins. Co.*, 18 So. 3d 1129 (Fla. 4th DCA 2009)

**Class Actions:** Represented State Farm in several appellate proceedings arising from a putative subrogation class action. *Kendrick v. State Farm Mut. Auto. Ins. Co.*, 970 So. 2d 838 (Fla. 3d DCA 2007) (addressing petition for certiorari); 822 So. 2d 516 (Fla. 3d DCA 2002) (reversing class certification); 780 So. 2d 231 (Fla. 3d DCA 2001) (involving discovery dispute)

**Class Actions:** Represented an auto insurer in a class certification appeal. *Integon Corp. v. Gordon*, 953 So. 2d 725 (Fla. 1st DCA 2007)

**Class Actions:** Represented an insurer in an appeal addressing the standing requirement for class claims. *Graham v. State Farm Fire & Cas. Co.*, 813 So. 2d 273 (Fla. 5th DCA 2002)

**Class Actions:** Represented client in litigating multiple appeals, including en banc proceeding, arising from class action suits complaining about auto insurers' subrogation practices. *Monte de Oca v. State Farm Fire & Casualty Co.*, 897 So. 2d 471 (Fla. 3d DCA 2004) (en banc)

**Contract Claims:** Represented an auto dealer in an appeal addressing issues of contract negotiation and interpretation. *The Collection, LLC v. Warren Henry Autos., Inc.*, 13 So. 3d 537 (Fla. 3d DCA 2009)

**Contract Claims:** Represented a defendant in an appeal clarifying the scope of the Florida broker statute in the sale of an auto dealership. *Meteor Motors, Inc. v. Thompson Halbach & Assocs.*, 914 So. 2d 479 (Fla. 4th DCA 2005)

**Employment Claim:** Represented an employer in an appeal of a claim under the Florida Whistleblower Act. *Morin v. Florida Power & Light Co.*, 963 So. 2d 258 (Fla. 3d DCA 2007).

**Real Estate Disputes:** Represented the buyer of a co-op building in an expedited proceeding challenging the sales contract. *Nehmad v. Bay Harbor Cont'l, Inc.*, 192 So. 3d 483 (Table), 2016 WL 1035469 (Fla. 3d DCA 2016)

**Real Estate Dispute:** Represented a developer in multiple suits by buyers seeking to rescind condominium contracts. *Ortegon v. Leviev*

*Boymelgreen Marquis Developers, LLC*, 140 So. 3d 710 (Fla. 3d DCA 2014); *Group 2005 Real Estate, LLC v. Leviev Boymelgreen Marquis Developers, LLC*, 203 So. 3d 166 (Table), 2012 WL 6576860 (Fla. 3d DCA 2012); *Levy M LLC v. Leviev Boymelgreen Marquis Developers, LLC*, 64 So. 3d 689 (Table), 2011 WL 2051036 (Fla. 3d DCA 2011)

**Real Estate Disputes:** Represented a developer in a post-trial appeal involving the issue of anticipatory repudiation. *Gassen Properties, LLC v. Key Cove Landings, LLC*, 37 So. 3d 984 (Fla. 3d DCA 2010)

**Real Estate Disputes:** Represented a landlord in a lease dispute. *Galben Group, Inc. v. Malone*, 13 So. 3d 478, 2009 WL 1897904 (Fla. 3d DCA 2009)

**International Disputes:** Represented an Israeli corporation seeking to enforce a foreign judgment in Florida. *Levin v. Iskoor Steel Services, Ltd.*, 11 So. 3d 958 (Table), 2009 WL 163400 (Fla. 3d DCA 2009)

**International Disputes:** Represented a foreign bank in an appeal addressing international abstention principles. *Ortega Trujillo v. Conover & Co. Comm'ns, Inc.*, 221 F.3d 1262 (11th Cir. 2000)

**Securities Matters:** Represented defendant in an appeal of a sanctions award for frivolous securities and RICO claims. *Smith v. Viragen, Inc.*, 902 So. 2d 187 (Fla. 3d DCA 2005)

**Securities Matters:** Represented a broker-dealer in a case of first impression in the Circuit, addressing the scope of Section 12(2) of the 1933 Securities Act. *First Union Discount Brokerage Servs., Inc. v. Milos*, 997 F.2d 835 (11th Cir. 1993)

**Securities Matters:** Represented a broker-dealer in a proposed class action arising under the Florida registration statute. *Butterworth v. Quick & Reilly, Inc.*, 998 F. Supp. 1404 (M.D. Fla. 1998) (interpreting registration requirements); 171 F.R.D. 319 (M.D. Fla. 1997) (addressing class certification)

## Related Professional Experience

- Law Clerk to the Honorable Daniel H. Huyett (E.D. Pa.), 1985-86
- University of Miami School of Law, Instructor, 1984-85

## Affiliations

- Dade County Bar Association, Member
- Dade County Bar Association, Appellate Court Committee, Past Chair
- Monroe County Bar Association, Member
- Princeton Club of South Florida, Treasurer and Past President
- Third DCA Historical Society, Charter Member

## Honors and Distinctions

- *Best Lawyers*, 2013-2025, Listed in Florida for Appellate Practice and Insurance Law
- *Super Lawyers* Magazine 2014-2022, Listed in Florida for Appellate