

People



Raymond L. Robin

Partner, Litigation

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vCard

Raymond Robin practices in the area of litigation and has substantial experience in legal malpractice litigation, business litigation, insurance, reinsurance, real property, and complex arbitration and litigation matters in state and federal courts. Raymond has represented clients at the trial and appellate levels throughout Florida, including in the Florida and United States Supreme Courts.

Raymond is AV Preeminent rated by Martindale-Hubbell and has also been listed in *Best Lawyers* for Commercial Litigation and Professional Malpractice Law – Defendants since 2021 and by *Super Lawyers* Magazine in Florida for Business Litigation and Professional Liability since 2022.

Notable Work

Blue Cross & Blue Shield of Florida: After eight years of contentious litigation over insurance benefits, including a five-day trial, Raymond and the team prevailed on appeal. First, they recovered a judgment in the trial court for \$1,755,436.85 in favor of Blue Cross & Blue Shield of Florida and against Zenith Insurance Company on claims for equitable subrogation and unjust enrichment. Blue Cross sought reimbursement for amounts it paid for medical treatment of an injured employee, which should have been paid by Zenith, the employer's workers' compensation insurer. Zenith appealed. On October 12, 2023, the Fourth District Court of Appeal summarily affirmed the trial court judgment a day after oral argument. Blue Cross also prevailed on its claims for attorneys' fees in both the trial court and in the Fourth DCA.

Probate Attorneys' Fees: Prevailed on a motion to dismiss in a probate adversary proceeding. Raymond successfully defended a law firm representing a trustee in a case filed by a trust beneficiary. At the conclusion of that case, the beneficiary filed a supplemental complaint against the law firm claiming the right to disgorgement of all attorneys' fees paid to the law firm in connection with the trustee's case. Raymond prevailed on a motion to dismiss, arguing:

Areas of Experience

Professional Liability
Litigation
Insurance Litigation
Commercial Disputes
Appellate

Education

J.D., University of Miami School of Law, 1986, cum laude, *University of Miami Law Review*, Order of the Coif
M.B.A., University of Miami School of Business Administration, 1981
B.A., University of Witwatersand, 1979

Admissions

Bars

Florida

Courts

U.S. Supreme Court
U.S. Court of Appeals, Eleventh Circuit
U.S. Court of Appeals, Tenth Circuit
U.S. District Court, Southern District of Florida
U.S. District Court, Middle District of Florida

Related Content

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February 18, 2025

(1) absent specific claims of fraud against an attorney, the beneficiary had no standing to sue the trustee's counsel; (2) in order to be liable for surcharge or disgorgement, one must have breached a fiduciary duty owed to the party asserting the claim; and (3) a law firm representing a trustee in a case brought by a beneficiary owes no separate independent duty to the beneficiary. The court agreed, granted a motion to dismiss with prejudice, and denied a motion for rehearing.

Class Action Litigation: Represented a large, prominent national collection and foreclosure law firm (Foreclosure Law Firm) with its principal office in Florida. The Foreclosure Law Firm was retained by a national bank to foreclose a residential mortgage. After the Foreclosure Law Firm filed the foreclosure action on behalf of the bank, in what it believed was part of the settlement discussions it was having with the borrower's attorney, the Foreclosure Law Firm prepared and sent the homeowner's attorney a reinstatement letter setting forth the balance that the homeowner would need to pay to reinstate the loan. The reinstatement letter also listed the breakdown of the expenses comprising the balance. One of those expenses was for attorneys' fees incurred by the bank in a prior unsuccessful foreclosure action. The homeowner filed a class action counterclaim against the Foreclosure Law Firm for breach of the Florida Consumer Collection Practices Act, Section 559.55, et seq., Florida Statutes, which not only prohibits any attempt to collect an unauthorized debt but also provides for the award of statutory damages and attorneys' fees for anyone who is the victim of any such attempt. The homeowner sought to maintain a class action suit seeking statutory damages for the substantial number of borrowers to whom similar letters had been sent. Before the class could be certified, Raymond and his team filed a motion for final summary judgment on behalf of the Foreclosure Law Firm arguing that the homeowner had no claim because the charge for prior attorney's fees was authorized by the language of the mortgage signed by the homeowner. The trial court agreed and granted final summary judgment. Because the putative class counter-plaintiff, the homeowner, had no individual claim, no class action could be maintained and the court entered final judgment in favor of the Foreclosure Law Firm. In a seven-page opinion, the Fourth District Court of Appeal agreed with the trial court and affirmed.

Real Estate Attorney: Represented a successful real estate attorney and his firm in a professional malpractice case. The defendants were sued for professional negligence by the seller after handling the closing of the sale of his 7,622 square foot seven bedroom, seven-and-a-half bathroom, waterfront luxury home located in Miami Beach. Raymond and his team were able to have the amended complaint dismissed with prejudice. The Fourth District Court of Appeal upheld the dismissal. Thereafter, the team was successful in recovering attorneys' fees for their client.

Professional Liability

Major Law Firm: After taking over the defense of a case from other counsel following adverse rulings permitting the addition of punitive damage claims, Raymond and his team successfully defended a major law firm and one of its former lawyers against claims for conspiracy, negligent misrepresentation, aiding and abetting fraud, breach of contract, and civil theft in a two-week jury trial. After obtaining directed verdicts as to the individual plaintiff's claims and on the claims for civil theft and punitive damages against the law firm, the team obtained a defense jury verdict as to all of the remaining claims.

Law Firm: Represented a prominent attorney and his law firm in obtaining summary final judgment on behalf of their clients. The attorney and his firm were sued for legal malpractice after their clients lost an appeal handled by the attorney. The final judgment against the attorney's clients, which was the subject of the appeal, was grounded on two separate and independent legal theories. The appellate court issued a *per curiam affirmance* (PCA) without opinion, upholding the final judgment against the clients. One of the legal theories upon which the final judgment was based was the subject of an unrelated appeal in the Florida Supreme Court pending at the time the intermediate appellate court issued its decision. After the intermediate appellate court issued the PCA, the Supreme Court changed the law as it existed at the time of the PCA. The plaintiffs claimed that the defendant attorney was negligent by not advising the clients to seek to have the appellate court revisit the issue. Raymond and the team representing the defendant attorney and his law firm filed a motion for summary judgment arguing that the Supreme Court's decision had no effect because the PCA was based on two separate and independent grounds, and no subsequent court or jury could decide that the remaining basis alone was insufficient to support the PCA. The court granted the motion and entered final judgment for the defendants.

Business Litigation

Businessman: Represented a businessman who borrowed \$1.5 million from his business partner and signed a promissory note. He made interest payments on the note for a year and then stopped. The lender waited quite some time and then sued to recover the balance on the loan along with interest at the note rate of 10 percent. By the time the jury trial started, no payment had been made for 10 years. The lender was seeking in excess of \$3 million. Based on the defenses raised by Raymond, the jury was persuaded to allow the borrower over \$1.5 million in offsets so they awarded the lender only \$1.414 million, an amount less than half of what he was seeking.

Nordion Inc.: Represented Ottawa-based public company Nordion Inc. and its affiliates (Nordion) in a lawsuit seeking damages in excess of \$90 million brought by BioAxone BioSciences Inc. (BioAxone) alleging that Nordion was negligent in preparing a master cell bank used by BioAxone in connection with the development of BioAxone's new spinal cord injury drug. After filing the motion for summary judgment on behalf of Nordion, the case was quickly settled for what Nordion described in a press release as "a nominal amount ... expected to have a non-material impact on Nordion's financial position." The case was the subject of a front-page report in the *Daily Business Review* on October 8, 2013, titled, "Drug Companies Settle Mad Cow Contamination Claim."

National Printing Company: Represented a national printing company in a breach of contract action against a customer for failure to make payment for work done. The customer filed counterclaims. The court granted final summary judgment for the client on all claims.

Large Produce Marketing Company: Represented a large produce marketing company in an appeal to the District Court under the Perishable Agricultural Commodities Act of 1930, § 1 et seq., 7 U.S.C.A. § 499a et seq. (PACA) filed by a customer that failed to pay for produce delivered. The customer lost administrative proceeding before the Secretary of Agriculture. After a settlement that the client found favorable, the customer dismissed the appeal.

Law Firm in \$25 Million Suit: Involved in defending law firm and attorneys in a \$25 million 28 USC § 1983 suit brought in federal district court against a firm and attorneys for allegedly improper action taken during execution of judgment. The case was dismissed with prejudice for lack of jurisdiction based on the Rooker-Feldman doctrine.

Corporation: Represented a corporation in a shareholder's derivative action against a shareholder for injunction, breach of contract, and breach of fiduciary duty after the shareholder embezzled funds from the corporation. The court entered a preliminary injunction requiring the shareholder to return the funds and had the defendant incarcerated for contempt until he returned funds. The team obtained a settlement that the client found favorable.

Owners of Skilled Nursing Facilities: Represented the corporate owners of skilled nursing facilities in cases filed throughout Florida against operators. The team obtained summary judgment, dismissal, or settlements that the clients found favorable.

Corporate Tenant: Represented a corporate tenant in breach of a real estate lease brought by the landlord. Obtained judgment in favor of the corporate tenant after two-day trial.

Large Developer: Represented a large developer in an action brought by an employee claiming to have been excluded from participating in a leveraged buyout offered to executives. The team filed a counterclaim for breach of fiduciary duty based on the employee's self-dealing and obtained a verdict in favor of the developer after a two-week jury trial on the employee's claim and judgment against the employee, plus punitive damages on the counterclaim.

Related Professional Experience

- Judicial Clerk to the Honorable Joseph Nesbitt, Third District Court of Appeal of Florida, Miami, Florida, 1986-1988

Published Work and Lectures

- Broward County Bar Association, Chair and/or Presenter - Legal Malpractice Symposium and Legal Malpractice Summits 2017, 2018, 2024
- Palm Beach County Bar Association CLE, Speaker, "Proposals for Settlement," November 2015
- *The Florida Bar Journal*, Author, "What Is Left of the Joint Proposal for Settlement?" February 2011
- Florida Bar Young Lawyer's Division Board of Governors – Basic Discovery CLE, Speaker, "Third Party Practice," May 8, 2008

Honors and Distinctions

- *Best Lawyers*, 2021-2025, Listed in Florida for Commercial Litigation and Professional Malpractice Law – Defendants
- *Super Lawyers Magazine*, 2022-2025, Listed in Florida for Business Litigation, Professional Liability
- Martindale-Hubbell, AV Preeminent Rated