

People



David P. Ackerman

Partner, Litigation

West Palm Beach

T: +1 561 273 5567

david.ackerman@akerman.com

vCard

” David is a class act and a lawyer’s lawyer.

- *Chambers USA*

David Ackerman defends law firms in professional malpractice and legal ethics actions. In addition, David litigates a variety of commercial matters, including class actions, real estate, and business disputes. A Fellow of the American College of Trial Lawyers, clients value his litigation experience and strategic insight in resolving disputes through trial and appeals, negotiation, or arbitration. Ranked by *Chambers USA*, where he is described as “an even-keeled, thoughtful and smart attorney,” he is repeatedly recognized by *Florida Trend’s* Legal Elite and included in *The Best Lawyers in America* listing since 2003 for Bet-the-Company Litigation, Commercial Litigation, and Securities Litigation, among others.

On behalf of law firms, David and his team have obtained favorable rulings on the basis of judgmental immunity, lack of privity, and the lawyers’ scope of work. They have obtained favorable evidentiary rulings for law firms; and recovered attorneys’ fees for law firm clients.

In addition, David litigates a variety of commercial matters, including class actions, antitrust and trade regulation, and business disputes. His team’s work has involved a variety of high stakes disputes across a number of sectors, including telecommunications, food and beverage, and storage.

With a strong commitment to the profession and the community, David is a member and past-president of the Federal Bar Association, Palm Beach Chapter and served on the Advisory

Areas of Experience

Litigation
Professional Liability
Class Action Defense
Financial Institutions Commercial Litigation
Alcohol Beverage

Education

J.D., George Washington University Law School, 1982
B.A., Bucknell University, 1979

Admissions

Bars

Florida

Courts

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

Related Content

112 Akerman Lawyers Across the U.S. Named to 2023 *Super Lawyers* and Rising Stars Lists
September 28, 2023

Record Number of Akerman Lawyers Named to *The Best Lawyers in America* 2024 Guide
August 22, 2023

Akerman Once Again Ranked Among the Best in the United States by *Chambers USA*
June 06, 2023

Committee on Mediation for the U.S. District of Court for the Southern District of Florida. He received the Professionalism Award given by the Palm Beach County Bar Association to an individual who exemplifies the highest ideals of ethics within the legal system. David is active with The Salvation Army where he currently serves on its Advisory Board and is chair of both the Long Range & Strategic Planning and Northwest Community Center Event Committees. He was its William Booth (national) and Hearts of Gold (local) honoree. David is also a member of The Legal Aid Society of Florida, Board of Trustees, is past chair of the Board of Directors, and is a past recipient of their Pro Bono Service award.

Notable Work

Legal Malpractice Litigation: Represented a law firm and some of their individual partners as co-lead counsel in a two-plus week jury trial and secured a complete defense verdict for our client.

Legal Malpractice Litigation: Represented a law firm defending a malpractice action arising from adverse outcome in patent litigation. Obtained summary judgment for law firm, which was affirmed on appeal under the doctrine of judgmental immunity. Law firm achieved an attorneys' fee award settlement.

Legal Malpractice Litigation: Represented a law firm in an action by investors in misrepresentations in offering memorandum. Trial court dismissal affirmed at trial court level, affirmed on appeal, attorneys' fees claim pending.

Legal Malpractice Litigation: Represented a law firm in claim for mishandling wrongful death action. Case dismissed at trial court level, affirmed on appeal, Attorneys' fees claim pending.

Legal Malpractice Litigation: Represented a law firm in action alleging negligence in defending a claim in foreign country. Summary judgement for law firm affirmed on appeal.

Food and Beverage Litigation: Represented beverage distributor defending against claims of unfair and deceptive trade practices and antitrust law violations. Obtained complete summary judgment for client.

Class Action Litigation: Represented a defendant as local counsel in a class action lawsuit against a self-storage unit operator, asserting claims under Racketeer Influenced and Corrupt Organizations Act (RICO) and Florida Deceptive and Unfair Trade Practices Act (FDUPTA), as well as claims for breach of contract, unjust enrichment, and unconscionability, all arising from an alleged kickback tenant insurance scheme.

Class Action Litigation: Represented a wireless carrier in a consumer class action lawsuit asserting claims over provider's alleged practice of unilaterally changing customer rate plans.

Class Action Litigation: Represented a wireless carrier in a consumer class action claim over billing for incomplete calls. Handled non-jury evidentiary hearing, after which trial court denied class certification. Handled appeal, including briefing and oral argument, after which the appellate court affirmed.

Published Work and Lectures

- NSU Shepard Broad College of Law, Instructor, "Civil Legal Aid Lawyers Skills Training Program," April 2018

- Palm Beach County Bar *Bulletin*, Co-Author, “A New Model For Professionalism Peer Review And Discipline In Federal Court,” February, 2018
- *The American College of Trial Lawyers Journal*, Author, “Fellows Provide Access to Justice, Author,” Summer 2015
- Professionalism and Ethics, Author, “Trending: Lawyers May View a Juror’s Social Media,” October 27, 2014
- *Business Litigation in Florida*, Author, “Recovery of Attorneys’ Fees, Chapter 16, Fla. CLE 9th Ed. 2017
- Professionalism and Ethics, Author, “Application of the Standards of Professional Courtesy,” October 24, 2013
- Professionalism and Ethics, Author, “Oops! You Made a Mistake. Now What?,” August 14, 2013
- *Palm Beach County Bar Association Bulletin*, Author, “Towards a More Professional Discovery Response,” June 2012

Affiliations

- The Florida Bar
 - Executive Council of the Business Law Section, Past Member
 - State/Federal Judicial Liaison Committee, Past Chair
 - Business Litigation Committee, Past Chair
 - Law School Liaison Committee, Past Chair
 - *Business Litigation in Florida*, Chapter Author
- American College of Trial Lawyers, Fellow
 - Foundation Board of Trustees, Member
 - National Moot Court Committee, Past Chair
 - Complex Litigation Committee, Member
 - Florida State Committee, Past Chair
- Federal Rules of Civil Procedure Committee, Past Member
- American Inns of Court
 - Emeritus Member
- Palm Beach County Bar Association, Member
 - Professionalism Committee, Member
 - Professionalism and Commercial Litigation Committees, Past Chair
- Federal Bar Association, Palm Beach Chapter, Member and Past President
 - Ad Hoc Advisory Committee on Mediation for the U.S. District Court for the Southern District of Florida, Past Member (appointed by Chief Judge), Past Member
- Legal Aid Society of Palm Beach County
 - Board of Directors, Past Chair
 - Board of Trustees, Member
- The Salvation Army of Palm Beach County
 - Advisory Board, Past Chair
 - Long Range & Strategic Planning Committee, Chair
 - Northwest Community Center Event Committee, Past Chair

Honors and Distinctions

- *Super Lawyers Magazine*, 2020-2023, Recognized for Business Litigation

- *Super Lawyers Magazine*, 2022, Listed as on of the “Top 100 Attorneys” in Miami
- Board Certified in Business Litigation, The Florida Bar Board of Legal Specialization and Education
- *Chambers USA*, 2017-2023, Listed in Florida for Litigation: General Commercial
- *The Best Lawyers in America*, 2003-2024, Listed in Florida for Bet-the-Company Litigation, Commercial Litigation, Litigation - Securities, Arbitration, Legal Malpractice Law – Defendants
- *The Best Lawyers in America*, Named “Lawyer of the Year” for:
 - Litigation – Securities, 2018
 - Bet-the-Company Litigation, 2024, 2021, 2019, 2015, 2010
 - Securities, 2014
 - Commercial Litigation, 2012
- *Florida Trend’s Legal Elite*, 2021-2022, 2008-2019, 2004-2006, Listed for Business Litigation, Business Law, and Commercial Litigation; Legal Elite Hall of Fame 2014, 2018-2022
- *Palm Beach Illustrated Magazine*, 2022, Listed as a “Top Lawyer” for Commercial Litigation, Legal Malpractice Law
- *Florida Super Lawyers*, 2006-2020
- *Super Lawyers, Corporate Counsel Edition*
- *South Florida Legal Guide Top Lawyers*, 2002-2020, Listed for Corporate and Business Litigation, Professional Liability - Defense
- Palm Beach County, 2017, Shepard P. Lesser Professionalism Award for “outstanding contribution to the legal profession and our community”
- Legal Aid Society of Palm Beach County, Pro Bono Service Award
- The Salvation Army of Palm Beach County
 - 2010 Hearts of Gold Honoree
 - 2015 Shining Star Award for in recognition of “outstanding service and dedication in Palm Beach County”
 - William Booth Award in recognition of outstanding service to the community and substantial contributions to The Salvation Army.