

Florida Powerhouse: Nelson Mullins

By **Nathan Hale**

Law360 (August 12, 2022, 2:03 PM EDT) --Nelson Mullins Riley & Scarborough LLP has produced significant results in litigation for the likes of Carnival Corp., GlaxoSmithKline and Florida's Osceola County, while continuing to handle major transactional, real estate and financing work, and making advances in emerging technological sectors, solidifying its place among the top-performing firms in the state.

The past year has seen multiple national heavyweight firms move to gain footholds in the Sunshine State amid a major inflow of people, business and capital. In that environment, South Carolina-based Nelson Mullins' 2018 merger with longtime Florida stalwart Broad & Cassel looked more prescient than ever as the firm leveraged its longtime client relationships and enhanced capabilities to retain its spot among Law360's Florida Powerhouses.

"It only strengthens our resolve to do better work, service our clients better, maintain those strong relationships that we have," Kristin Ahr, a partner in the firm's West Palm Beach office, told Law360. "We have decadeslong clients and we want to continue to service them, develop those new relationships, but continue to just do excellent legal work at a competitive rate and keep the client satisfied to the greatest extent possible."

As of May 1, Nelson Mullins reported having 170 attorneys based in Florida out of a firmwide total of 893. It has offices in Boca Raton, Fort Lauderdale, Jacksonville, Miami, Orlando, Naples, Palm Beach, Tallahassee, Tampa and West Palm Beach. The Naples office opened in August 2021 with the addition of three wealth management attorneys.

Ahr, who specializes in labor and employment litigation in the health care sector, noted her colleagues' work in helping Carnival Corp. hold off a proposed shareholder class action accusing the Miami-based cruise giant of being reckless and making misleading statements in the early days of the COVID-19 pandemic. She highlighted the efficiency with which Nelson Mullins' attorneys obtained a dismissal on May 28, a year and a day after the stock-drop suit was filed, remarking on the timeliness of the issues.

Nelson Mullins also helped obtain a dismissal of claims against pharmaceuticals behemoth GlaxoSmithKline in multidistrict litigation alleging a generic form of the drug Zantac contained a known carcinogen.



Additionally, the firm negotiated a settlement in which Osceola County received \$140 million in cash and property over a failed partnership with the University of Central Florida to develop and operate a high-tech manufacturing facility known as NeoCity on county land. The county was able to use money from the deal to create hundreds of high-tech jobs in a replacement agreement with SkyWater Foundry, the firm said.

"Anything that comes in, whether it relates to something that we did on the corporate side and turns into litigation or originates [as litigation] in and of itself, the firm has the depth to handle it," Ahr said.

Nelson Mullins also excelled on several other fronts over the past year.

Its attorneys advised clients on a variety of notable transactions. They guided the \$410 million sale of the Autopistas del Nordeste and Boulevard Turistico del Atlantico toll road projects and related concessions back to the government of the Dominican Republic. They represented Jaguar Fund No. 1 LP in its \$144 million acquisition of shares in Telefonica Moviles El Salvador SA, one of El Salvador's leading mobile phone companies. And they represented auto dealer software provider The Reynolds and Reynolds Co.'s acquisition of Florida-based dealer-client software platform Gubagoo Inc., among other deals.

The firm's real estate team negotiated an impressive series of leases for 830 Brickell, a Class-A office tower rising in Miami's financial district, including full-floor or multiple-floor deals with Microsoft Corp., Thoma Bravo LP and Canadian firm CI Financial Corp.

Nelson Mullins also represented The Bainbridge Cos. in the \$83.15 million sale of a 276-unit apartment community in Jacksonville, and the closing of a joint venture, land acquisition and construction loan for a 300-unit multifamily community in Orlando valued at nearly \$85 million.

In the financing world, the firm continued one of its longtime relationships by serving as bond counsel for the Central Florida Expressway Authority on three bond issuances totaling nearly \$340 million. It also represented pilot training provider Avenger Flight Group in connection with a \$155 million senior financing facility from a group of syndicated lenders and represented Canacol Energy Ltd. in connection with a \$500 million private offering.

Nelson Mullins' financing work also extended into some emerging technological fields. It advised CryptoLeague, a Miami-based investment platform, on blockchain securities' regulatory aspects for a pre-seed round of \$2.2 million in financing, and counseled blockchain search engine Elementus Inc. on financing and general counsel matters.

Partners credited the firm's entrepreneurial approach and willingness to enter into new fields with contributing to its growth and competitiveness.

"I think that is helpful for us to be able to go into areas that maybe other firms are not willing to step into, but we are. If we have that desire to take a practice to a different level or to a different nature or something like that, Nelson Mullins encourages that," said Jo O. Thacker, a former state attorney who is now a partner in the real estate practice in Orlando.

"That kind of makes it fun," Thacker added. "Instead of, 'Well, is this really risky?' it's more like, 'OK, let's understand the risks, but let's get the right tools that you need to be able to move forward with this. What people do you need? What technology?'"

Labor and employment litigation partner Ahr also noted the improvements the firm has made to its technology each year, as well as other resources such as a 24/7/365 data breach response team whose expertise she drew upon when working on a matter in which an employee stole a client's trade secrets from a company computer server and distributed them.

"There are so many moving parts that all it takes is a phone call across the firm and we handle it from all aspects," she said.

Diversity is another area where both Thacker and Ahr said they see potential and actual growth within the firm.

In February, a group of partners and associates in the firm's fintech and regulation practice, led by members in Miami and Boston, started an affinity group for women in fintech known as WinFin, which aims to support and present women as leaders in the fintech arena. This led to the firm teaming up with Miami Dade College and Silicon Valley Bank to host a "Women in FinTech Conference" in Miami at the end of March. The event drew 100 attendees and planning for 2023 has already started.

"[If] you have an idea or you have something that no one's ever thought of before, there's not a lot of pushback. The firm will push you forward," Ahr said. "So these women said, 'Well, there's a need. We're interested in it. We want to learn more. We want to meet the women that are involved in this industry.'"

"The firm has taken inclusion, diversity as a very serious matter," Thacker added. "And I think that's going to only lead to further opportunities with clients because I think that we are focusing on minority counsel, we're focusing on women being successful in a very, still male-dominated field. I think that will be something that will distinguish Nelson Mullins as we continue to grow that way."

--Editing by Lakshna Mehta.