Paul D. Bain

Shareholder

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Overview

Paul D. Bain represents land and business owners across the state of Florida when their property is taken for public projects. For over 30 years, he has represented people and businesses in eminent domain, inverse condemnation, and property rights litigation in state and federal courts. His clients have over 200,000 acres of property and over 5,000 locations throughout the state and include large and small landowners and business owners.

He has served in leadership of Florida eminent domain law and published and lectured in state and national forums. In 1993, he joined a boutique eminent domain firm and became a partner in 1998. Paul joined Trenam in October 2011 and has served as co-leader of the firm's Litigation and Dispute Resolution Practice Group.

Representative Matters

- Represented Kissimmee River property owner against water management district's fee simple and flowage easement takings of 1,557 acres,recovering over $22,250,000 along with reduced taking.
- Represented bank against partial taking for road right-of-way, recovering $650,000 following initial offer of $18,600.
- Represented moving and storage business against proposed closure of access on state highway system, negotiating resolution preservingcontinued site access and operations.
- Represented property owner against pipeline easement taking, recovering $750,000 following initial offer of $23,000.
- Represented phosphate mining property owner against proposed pipeline easement taking, recovering $6,000,000 following initial offer of $555,000.
- Represented shopping center owner against partial taking for elevated flyover road construction, recovering $3,500,000 following initial offer of $790,000.
- Represented shopping center anchor tenant against partial taking for one-way frontage road construction, negotiating resolution eliminating frontage road and preserving direct access to state highway system.
- Represented gas and convenience store business against partial taking for road right-of-way, recovering $850,000 following initial offer of $124,000.
- Representing property owner against pipeline company, obtained decisionfrom appellate court denying pipeline company the authority to take private property in advance of entry of a final judgment, reversing over 50 years ofpipeline company practice.

Representative Clients

- 7-Eleven, Inc.
- Bloomin' Brands: Outback Steakhouse, Carrabba's Italian Grill, Bonefish Grill, and Fleming's Prime Steakhouse & Wine Bar
- Burlington Coat Factory
- Checkers Drive-In Restaurants
- Circle K Stores Inc.
- Darden Restaurants: Olive Garden, LongHorn Steakhouse, Capital Grille, Yard House, Bahama Breeze, Seasons 52, and Eddie V's Prime Seafood

Alternate Contact

Rebecca S. Robertson
Legal Assistant
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Practice Areas

- Eminent Domain and Property Rights Litigation
- Real Estate and Lending Transactions
- Litigation and Dispute Resolution

Education

- J.D., University of Florida Levin College of Law, 1993
  - Florida Law Review, Senior Research Editor
  - Legal Research and Writing Teaching Fellow
- B.A., John B. Stetson University, 1990
  - Mortar Board
  - University President's Leadership Cabinet
  - Crew Team, Founding Member

Admissions

- Florida
- United States District Court, Middle, Southern and Northern Districts of Florida
- United States Court of Appeals, Eleventh Circuit
- United States Court of Federal Claims

- McDonald's USA, LLC
- Regions Bank
- SouthState Bank

Honors and Distinctions

- *Tampa Magazine's Top Lawyers List,* 2018, 2020-2026
- AV Preeminent Peer Review Rated by Martindale-Hubbell
- *The Best Lawyers in America*
  - Eminent Domain & Condemnation Law, 2009-2027
  - Litigation - Real Estate, 2027
- *Florida Trend's Legal Elite*, 2005-2011, 2013-2014, 2016-2022
  - Hall of Fame, 2023
- *Florida Super Lawyers*, Eminent Domain, 2007- 2026 (20 year recognition)
- *Chambers USA* Ranked, Real Estate, 2014-2020, 2022
- 2008 Broward College Distinguished Alumni, Broward College Foundation, 2008

Professional Involvement

- The Florida Commission on Ethics
  - Commissioner, 2024-2026
- The Florida Bar
  - Eminent Domain Committee, 1994-present
- Hillsborough County Bar Association
  - Eminent Domain Committee, 1994-present
  - Vice-Chair, 2003-2004
- CLE International 13th Annual Florida Eminent Domain SuperConference, Program Co-Chair, 2003; 2009

Community Involvement

- First Baptist Church of Tampa
- West Florida Foster Care Services, Inc.
  - Board Member, 2016-2023

Thought Leadership

- "Polk Perspective: Understand your help for overhead power lines," Author, The Ledger, September 2018
- Co-Author, The Power of Eminent Domain, Chapter 2, *Florida Eminent Domain Practice & Procedure*, (12th ed. 2021), (11th ed. 2019), (10th ed. 2017), (9th ed. 2014), (8th ed. 2012)
- 'Risky Business' Damages in Florida Eminent Domain: Will all risks associated with relocation be placed on the owner? Author,*Petrogram*, Spring 2009
- Get on the Case: Reviewing This Year's Eminent Domain Law, CLE International 13th Annual Florida Eminent Domain Super Conference, 2009
- Why Buy the Cow When You Can Get the Milk for Free? A Review of Forced Dedications, CLE International 8th Annual Texas Eminent Domain Super Conference, 2009
- Eminent Domain Law: How Does Texas Measure Up? CLE International 8th Annual Texas Eminent Domain Super Conference, 2009.
- Recovering Damages for Loss of Access in Eminent Domain, Author,*Petrogram*, Winter 2006
- Hot Property: Florida Case Law Update, CLE International 10th Annual Florida Eminent Domain Super Conference, 2006
- Forced Dedications, CLE International Florida Regulatory Takings Seminar, 2006
- Recovering Business Damages When the Government Takes Your Property, Author,*Petrogram*, Fall 2005
- Impeaching Expert Witnesses, Author, Hillsborough County Bar Association *Lawyer* 24, 2003
- Program Co-Chair, CLE International 7th Annual Florida Eminent Domain SuperConference, 2003
- New Eminent Domain Laws: Are Property Owners Still Protected, Author,*Florida Realtor*, March 2000

- Discovery Disputes: How to Get the Most Information with the Least Amount of Pain; What You Can Get and What You Can't, CLE International 6th Annual
- Don't Get Taken' by a Government Taking, Florida Petroleum Marketers and Convenience Store Association, Annual Convention and Trade Show Workshop, 2000
- 1999 Amendments to Florida's Eminent Domain Statutes, Author,*The FloridaBar Journal*, November 1999
- Co-Author, Chapter 2: Authority to Exercise Power, in *Florida Eminent Domain Practice & Procedure,*(7th ed. 2008), (6th ed. 2003), (5th ed. Supp. 1999)
- Litigating the Road Case, Author, National Business Institute, Road and Access Law In Florida Seminar, 1999
- Overview and Update on Wetlands Regulation and Takings, CLE International, Florida Wetlands & Mitigation Banking Seminar, 1999
- Litigating the Road Case and Methods of Public Road Creation, National Business Institute, Road and Access Law In Florida Seminar, 1999
- Enforcing Settlement to Ensure Full Compensation, Author, Hillsborough County Bar Association *Lawyer* 15, 1997
- Cost to Cure, Author, Florida Conference of Circuit Judges, Eminent Domain Seminar, 142-58, 1995, 2000, 2004
- Broward County v. Patel: Reducing Full Compensation to a Mere Probability, Author, The Florida Bar, Eminent Domain Committee Newsletter, Vol. 8, p.8, 1995
- A Review of the Law of Access, Author, The Florida Bar Continuing Legal Education Committee and the Eminent Domain Committee, Condemnation Seminar, 1994
- Contamination Stigma: Defending the Landowner Against the New Scarlet Letter in Eminent Domain, Co-Author, Institute on Planning, Zoning and Eminent Domain, 1994
- Chiseling Away at Full Compensation with Mitigation' and Cost to Cure,' Hillsborough County Bar Association, Eminent Domain Seminar, 1994
- The Critical Role of Experts in Creating a Legal and Practical Cost to Cure in Eminent Domain, Co-Author, Condemnation, Zoning and Land Use Committee, Litigation Section, American Bar Association Annual Meeting, 1994
- Is Full Compensation Certain or Merely Probable? Co-Author, Hillsborough County Bar Association*& Lawyer* 16, 1994