Amy L. Drushal

Shareholder

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Overview

Amy Drushal is a Shareholder and currently serves on the firm's Executive Board. She is a former practice group leader for the firm's Litigation and Dispute Resolution Group. An experienced trial lawyer, Amy handles cases for clients on a wide variety of complex business, real estate, and employment disputes, as well as in bankruptcy and creditor's rights matters.

Amy serves as co-chair of the firm's Financial Services Industry Team. She defends individual and class action claims brought under the Florida Consumer Collection Practices Act, the Fair Debt Collections Practices Act, the Telephone Consumer Protection Act, the Fair Credit Reporting Act, and other consumer protection statutes.

In employment matters, Amy represents employers in claims brought under the Fair Labor Standards Act, the Florida Minimum Wage Act, in addition to defending employers against discrimination, harassment, and retaliation claims.

Amy represents lenders and other businesses in complex commercial litigation related to contract disputes, enforcement of loans and security interests, fraud, breach of fiduciary duty and other business related claims. She assists lenders in commercial foreclosures of apartment complexes, condominium and townhome projects, retail developments, and office buildings, including defending lenders' affirmative defenses and counterclaims in residential mortgage foreclosure actions. Amy has represented judgment creditors in collection matters, including domestication of foreign judgments, garnishment, replevin, and proceedings supplementary.

Before joining the firm, Amy clerked for the Honorable Elizabeth A. Kovachevich, former Chief Judge of the United States District Court for the Middle District of Florida.

Representative Matters

Business Litigation

- Successfully defended a regional bank in claims of violating the Fair Credit Reporting Act with a complete defense verdict.
- Represented international wine maker and associated individuals and entities in defending breach of fiduciary duty, conspiracy, aiding and abetting, breach of contract, and unjust enrichment claims seeking multi-million dollar disgorgement damages. After a multi-week trial in Miami-Dade County's complex business division, a full defense verdict was entered by the court. After this ruling, the case, and the clients' claims for attorneys' fees and costs from the plaintiff, ultimately settled favorably.
- Represented Trust in obtaining recovery of money lent to a limited liability companyand successfully obtained $4.2M jury verdict in favor of the Trust.
- Defended public company in fraudulent transfer action by former shareholder of consultant hired by public company.
- Represent golf club ownership group in breach of contract, tortious interference, employment, and injunctive relief claims.
- Assisted investment entity in prosecuting fraudulent transfer claims and post-

Practice Areas

- Litigation and Dispute Resolution
- Bankruptcy and Creditors' Rights
- Class Actions
- Employment
- Cybersecurity and Data Privacy
- Financial Services
- Hospitality

Education

- J.D. *cum laude,* Stetson University College of Law, 2001
- B.S. Political Science and International Affairs, double major, Florida State University, 1998

Admissions

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

judgment collections in litigation spanning multiple states.
- Assisted in the foreclosure of numerous petroleum stations.
- Defended wireless company in claims asserting false advertising.
- Obtained judgment for public company for civil theft against employee who was embezzling from company.
- Successfully defended law firm in numerous claims, including violations of the Fair Debt Collection Practices Act and Florida Consumer Collection Protection Act; obtained award of attorney's fees.
- Obtained successful dismissal of class action suit alleging violation of Florida Consumer Collection Practices Act brought against a law firm.
- Defended an investment company in class action data breach case.
- Represented multiple clients in obtaining settlements against Merck & Company, one of the largest international pharmaceutical companies, due to injuries sustained by use of Vioxx.
- Obtained reversal of $50,000 fee assessed by U.S. Marshall to handle foreclosure sale.
- Defended state university in discrimination claims brought by multiple employees.
- Represented nonprofit in defending discrimination and retaliation claims by multiple employees.
- Represented international life insurance company in defense of ERISA claims for long term disability benefits.
- Defended landlord in sexual harassment and discrimination case brought under the Fair Housing Act by former tenant.

Banking & Financial Institutions Litigation

- Obtained dismissal of Fair Credit Reporting Act claims against credit card issuer.
- Successfully defended national bank in arbitration of claims in excess of $3M dollars in which the plaintiff asserted claims related to alleged unauthorized wire transfers and deposits by employee.
- Represented bank in bringing claims related to check fraud.
- Successfully defended bank in quiet title action where the plaintiff obtained property in bankruptcy court and attempted to strip the bank of its first mortgage.
- Represent regional bank in Fair Credit Reporting Act claims nationally.
- Obtained dismissal of class action against check cashing business involving claims brought under the Fair Credit Reporting Act and the Florida Deceptive and Unfair Trade Practices Act.

Honors and Distinctions

- AV Preeminent Peer Review Rated by Martindale-Hubbell
- *The Best Lawyers in America*
  - Bankruptcy & Creditor Debtor Rights / Insolvency & Reorganization Law, 2019-2027
  - Commercial Litigation, 2021-2027
  - Financial Services Regulation Law, 2021-2027
    - *Lawyer of the Year*, 2022, 2024
- *Florida Super Lawyers*, Business Litigation, 2013-2026
  - "Top 50: Women Florida Super Lawyers Top List", 2020, 2024-2026
  - "Top 50: Tampa Bay Super Lawyers Top List", 2025-2026
  - *Florida Super Lawyers, Rising Stars*, 2010-2012
- *Florida Trend'sLegal Elite*, 2016, 2018-2020, 2022
  - *Florida Trend'sLegal Elite*, Up & Comer, 2015
- *Tampa Magazine's* Top Lawyers List, 2020, 2023-2026
- American Bar Association Young Lawyers Division Star of the Year Award, 2011-2012
- American Bar Association Young Lawyers Division Star of the Quarter Award, October 2008, February 2010, February 2011
- Judicial Intern, Fall 2001, Honorable Susan C. Bucklew, U.S. District Court, Middle District of Florida
- Office of United States Senator Bob Graham, Intern, Fall 1997, Spring 1998

Professional Involvement

- The Florida Bar
- American Bar Association
  - Law Practice Division
    - Council Member, 2013-2020

- Nominating Committee, 2014-2016
- Strategy & Planning Committee, 2014-2020
- Law Practice Today
  - Editor in Chief, 2018-2021
  - Associate Editor, 2016-2018
  - Board of Editors, 2013-2021
- Law Practice Magazine, Board of Editors, 2016-2017
- Young Lawyers Interest Group, Chair, 2012-2015
- Member Development Committee, Vice Chair, 2014-2016
- Fellows Program, Fellow 2012-2013
- Fellows Coordinator, 2014-2015
- YLD Representative, 2012-2014

◦ American Bar Foundation
- Fellow, 2013-present

◦ Section of Litigation
- Council Member (YLDRepresentative), 2010-2012
- YoungAdvocate'sCommittee, Subcommittee Chair, 2012-2014

◦ Young Lawyers Division (YLD)
- YLDFellow, 2011-present
- Truth in Law School Education (TILSE) Committee, 2011-2013
  - Ex-OfficioChair, 2012-2013
- New Partner and In-House Counsel Conference, Vice Coordinator, 2010-2012
- Litigation Committee, Co-Chair, 2008-2010
- Bankruptcy Committee, Vice Chair, 2006-2008
- Florida Delegate, 2010-2011

- HillsboroughCounty Bar Association
  - Hillsborough County Bar Foundation, Trustee
- Federal Bar Association
- Tampa Bay Bankruptcy Bar Association

Community Involvement

- Leadership Tampa Bay, Class of 2006
  - Executive Board, Programs Chair, 2012-2014
  - Board of Directors, 2008-2014
- Krewe of Augustina
  - Board of Directors, 2008-2010
- Ye Mystic Krewe of Nautilus
  - Member, 2012-2015

Thought Leadership

- "The CHOICE Act: Florida Substantially Broadens Enforceability of Covered Noncompete Agreements and Clarifies Enforceability of 'Garden Leave' Agreements," Employment Law Update, May 2025
- "Playing Beach Volleyball Makes Me A Better Lawyer," *Law360*, March 2025
- "Court Strikes Down DOL Rule Raising Minimum Salary Required for Exemptions from Overtime Pay," Employment Law Update, November 2024
- "Federal Court Blocks FTC Non-Compete Rule From Taking Effect," Employment Law Update, August 2024
- Interviewee, "Amy L. Drushal Tampa's "Lawyer of the Year" 2024," *Best Lawyers*, October 2023
- DHS Introduces New Alternative Procedures for Remote Examination of Work Authorization Documents,Employment Law Update, September 2023
- NLRB Marks Return to Stricter Standard for Evaluating Workplace Policies, Employment Law Update, September 2023
- DOL Announces Proposed Rule to Increase the Minimum Salary Required for Exemptions from Overtime Pay Requirement, Employment Law Update, September 2023
- NLRB Curbs Employers' Ability To Enforce Non-Compete And Confidentiality Agreements,*HR.com*, August 2023
- "NLRB Decision Marks Return to Stricter Independent Contractor Test," Employment Law Update, June 2023
- Employers Face Increased Risks Associated with Entering Into Non-Competes and Other Restrictive Covenants with Employees,Employment Law Update, June 2023

- New Florida Law Further Restricts Employer COVID-19 Measures, Employment Law Update, June 2023
- Gov. DeSantis Signs Immigration Bill Imposing E-Verify and Other Requirements for Many Employers, Employment Law Update, May 2023
- Consumer Financial Protection Bureau Issues Updated Summary of Rights Form, Employment Law Update, May 2023
- New Protections for Pregnant and Nursing Employees, Employment Law Update, May 2023
- NLRB Issues Decision Limiting Employers' Ability to Include Confidentiality and Non-Disparagement Provisions in Separation Agreements, Employment Law Update, May 2023
- NLRB Issues Decision That May Restrict Workplace Civility Policies, Employment Law Update, May 2023
- DHS Ends Policy Allowing Flexibility for Employers to Verify Form I-9 Documents, Employment Law Update, May 2023
- "Check Law & Cleck Fruad 101," Speaker, Florida Bankers Association Consumer Compliance Seminar, April 2023
- "How Do You Effectively Mentor During A Pandemic?," *ABA Law Practice Today*, April 2021
- "Why Early Settlement Should Be Considered During the Pandemic," *ABA*, January 2021
- "What the Zoom?! Navigating the Virtual Courtroom," Speaker, St. Petersburg Bar Association Webinar, September 2020.
- "The Shutdown of the Restaurant Industry: The Widespread Impact," Co-Author, *The Bankruptcy Strategist,* ALM's Law Journal Newsletters, June 2020
- "A Look at the Furnisher Requirements Imposed by the Fair Credit Reporting Act,"*The Florida Bar Journal*, Vol. 94, No. 3, May/June 2020
- "Chapter 4: Prejudgement Remedies For Unsecured Creditors," *Creditors and Debtors' Practice in Florida* - 7th Ed., Co-Author, 2019
- Bad Discovery Order? Here are a Few of Your Options,Trenam Appellate Newsletter, October 2019
- Appeals from the Bankruptcy Court,Trenam's Appellate Newsletter, August 2019
- The Fundamentals of Preserving Error for Appeal,Trenam's Appellate Newsletter, February 2019
- "Meet the General Counsel: Stephen Teplin," Author, *Law Practice Today*, June 2018
- "Protecting Your Institution from Fair Credit Reporting Act Litigation," *ABA Bank Compliance,* May-June 2018
- "Protecting Your Organization During The #MeToo Movement," Chief Executive, March 2018
- "Best Practices in Credit Reporting," *The Corporate Counselor*, March 2017
- "How Millennials and Baby Boomers Can Communicate to Work Effectively in the Workplace*,"* ABA Business Law Section meeting, Montreal, Quebec, Canada, April 2016 and Florida Bar Business Law Section, Naples, Florida, September 2016
- "Communicating and Working With the Older Generation," *ABA Law Practice Today,* August 2016
- "The Eleventh Circuit Speaks: The Bankruptcy Code Does NotPreempttheFDCPA," *The Cramdown,* Summer 2016
- "Protection for Creditors in Bankruptcy? Judge Steele (M.D. FLA.) Holds That The Bankruptcy Code Precludes anFDCPAClaim For Filing a Proof of Claim on Time-Barred Debt,"*TheCramdown,*Spring 2016
- "Transforming Your Litigation Skills into Leadership Skills," *ABA Law Practice Today*, December 2015
- "Top 10 Reasons for Young Lawyers to Join the Law Practice Division," *ABA Law Practice Today,* September 2015
- Transitioning from Associate to Partner: What Now?, *Law Practice Today*, May 2015
- "Employers: What You Need to Know if You Conduct Background Checks," Trenam Law *Legal Update,* March 2015
- FDCPA Cause of Action May Be Barred by the Statute of Limitations Post-Crawford, *The Cramdown*, Spring 2015
- "Federal Practice & Procedure Update: Recent Changes to the Federal Rules of Civil Procedure and Federal Rules of Evidence," Young Lawyer Committee and The Business & Corporate Litigation Committee, February 19, 2015
- "Compliance Panel on Dodd Frank Issues," Saltmarsh, Cleaveland & Gund Seminar, Tampa, Florida, September 2014
- *"*Ethical Considerations in Business Development and Marketing," ABA Annual Meeting, Toronto, Canada, August 2011 and ABA Annual Meeting San Francisco, California, August 2013

- "The First Steps to Successful Business Development," ABA YLD Teleconference, March 2012
- Marketing Tips for Young Lawyers,*Law Practice Today*, September 2011
- "Understanding the Partnership Agreement," ABA YLD Spring Meeting, St. Thomas, USVI, May 2010, and Teleconference, March 2011
- Prejudgment Remedies for Unsecured Creditors, Chapter 4, *Creditors' and Debtors' Practice in Florida*, 5th Edition, Florida Bar
- "Understanding Withdrawal of the Reference," ABA YLD 101 Practice Series
- "Understanding Abstention," ABA YLD 101 Practice Series