Lindsay Patrick Lopez

Shareholder

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Overview

Lindsay Patrick Lopez is a shareholder in the firm's Litigation and Dispute Resolution Group and serves in several of Trenam's practice areas.

In Commercial Litigation, Lindsay represents individuals and corporations in complex commercial disputes, including shareholder derivative actions, and represents financial institutions in commercial foreclosures. She also regularly defends law firms and lawyers in legal malpractice actions.

As a member of Trenam's Appellate Law Group, Lindsay focuses her practice on representing appellants and appellees in a variety of matters in Florida District Courts of Appeal and the Eleventh Circuit Court of Appeals.

In addition to working in Commercial Litigation and Appellate Law, Lindsay also works with the firm's Private Client Services Group, focusing on probate and guardianship litigation. She prosecutes and defends contested guardianships, as well as trust construction and breach of trust actions.

Lindsay also works with the Business Reorganization and Bankruptcy Practice Groups, prosecuting and defending preferential and fraudulent transfer actions.

Representative Matters

Appellate

- Secured affirmance from the Eleventh Circuit of trial court judgment in favor of Grammy Award winning music group in a trademark ownership trial regarding ownership of the band's name, preventing improper use of the group's name by a former member of the group, including a worldwide permanent injunction.
- Secured affirmance of denying motion for change of venue on behalf of trust beneficiaries in breach of fiduciary duty litigation.
- Secured reversal of summary judgment on behalf of medical practice on issue of whether insurance policy excluded coverage for copyright infringement.
- Secured reversal from Eleventh Circuit in favor of Chapter 7 Trustee in fraudulent transfer action holding that the mere conduit defense does not apply unless the transferee acts in good faith.

Probate Litigation

- Represented trust beneficiaries in breach of fiduciary duty action involving trustee's misuse of multiple trusts and estate assets, and obtained suspension of trustee and appointment of clients as special fiduciaries, and ultimately removal of trustee and monetary settlement.
- Represented trust beneficiaries in successfully removing stepmother as trustee and obtaining global settlement related to multiple trusts.
- Represented settlors of trust in obtaining a settlement to reform trust to recover income stream for settlors.
- Represented charity as trust beneficiary to obtain interim accountings and financial information from trust settlor's guardianship estate.
- Successfully obtained appointment of decedent's brother as administrator ad litem for the purpose of pursuing wrongful death claim against decedent's wife,

Alternate Contact

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Practice Areas

- Appellate
- Bankruptcy and Creditors' Rights
- Litigation and Dispute Resolution

Education

- J.D., *magna cum laude*, University of Florida College of Law, 2005
  - *Florida Law Review*
- B.A., *summa cum laude,* English and Sociology, Wofford College, 2002

Admissions

- Florida
- United States Supreme Court
- United States District Court, Middle District of Florida
- United States Court of Appeals, Eleventh Circuit

who was serving as personal representative.
- Defended co-personal representatives of estate to defend against claims by receiver in insurance company receiverships.
- Represented son in obtaining guardians for his mother and stepfather.
- Represented nieces and nephews of incapacitated woman in obtaining guardianship for aunt in contested guardianship proceeding.
- Defended alleged incapacitated person in contested guardianship, including multiple pre-trial hearings and seven days of trial.

Commercial Litigation

- Defended homeowners association in class action litigation alleging fraud in connection with timeshare owners' ownership interests, and successfully negotiated settlement between class representatives and multiple defendants.
- Represented owner of life insurance policies in lawsuit against his insurance agent for negligence and breach of fiduciary duty for agent's failure to advise policy owner that life insurance policies had lapsed.
- Defended estate planning attorney in litigation with surviving spouse alleging that defendant negligently drafted will and trust.
- Defended attorney in legal malpractice action against claims that he negligently drafted prenuptial agreement.

Honors and Distinctions

- *Tampa Magazine's Top Lawyers List*, 2023-2026
- AV Preeminent Peer Review Rated by Martindale-Hubbell
- *The Best Lawyers in America*
  - Appellate Practice, 2021-2027
  - Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law, 2024-2027
  - Commercial Litigation, 2023-2027
  - Litigation - Bankruptcy, 2023-2027
- *Florida Super Lawyers*, Business Litigation, 2024-2026
  - *Rising Stars*, 2009, 2015-2020

Professional Involvement

- Hillsborough County Bar
- The Florida Bar American Bar Association
- Tampa Bay Bankruptcy Bar Association

Community Involvement

- Tampa Connection, 2011
- Bay Area Legal Services, Cup of Hope (supports victims of domestic violence)
  - Spotlight on Survivors Committee, 2011

Thought Leadership

- "Kroger Must Keep Fighting Metal-Tainted Baby Food Claims,"*Law360*, May 2024
- "Appellate Certification: A View from Both Sides," Speaker, St. Petersburg Bar Association, May 2024
- 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