

## William "Bert" McBride

Shareholder

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## Overview

Bert McBride is an Shareholder in the firm's Litigation and Dispute ResolutionGroup. He represents individual business owners, companies and partnerships both small and large, and commercial landlords in a variety of complex matters in both Federal and State courts. He combines legal acumen and proficiency with business insights and analytical skills to provide his clients with balanced, reasoned, and judicious recommendations and solutions both pre-trial and in trial matters.

Prior to law school, Bert served as an Intern in Washington, D.C., for Congresswoman Kathy Castor's office and the U.S. Department of Commerce.

An avid sports fan, Bert was a Tampa Bay football standout, having won two state-football titles before moving to the offensive line at Stanford University, where he was a three-time Letterman.

## Representative Matters

### Commercial Litigation

- 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 individual client in breach of contract action that culminated in a multi-day jury trial where the jury ultimately awarded client the full amount requested which, after a further judgment awarding client his attorneys' fees, equated to more than \$800,000.
- Successfully represented a large financial services and banking company operating in several states, in a multi-million dollar fraudulent transfer avoidance litigation brought by a trustee in bankruptcy court.
- Successfully represented former owners of a healthcare company in state court litigation involving a multi-million dollar earn-out provision.
- Successfully represented a high end residential home builder seeking damages for breach of an interior design agreement by sophisticated homeowners. After a multi-day trial involving complex evidentiary and contract interpretation issues, the trial court awarded the full damages sought and attorneys' fees.
- Successfully defended local government entity from multi-million dollar equal protection claims brought by a taxi company relating to the operation of transportation network companies such as Uber and Lyft.

### Federal Court Class Actions

- Successfully defended class action claims relating to home and condominium owners association debts and collections. Plaintiff moved for class certification and was denied. *See Wilmington Sav. Fund Soc'y, FSB v. Bus. Law Group, P.A.*, 319 F.R.D. 386 (M.D. Fla. 2017). The case was favorably resolved on an

## Alternate Contact

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## Practice Areas

- Litigation and Dispute Resolution
- Class Actions

## Education

- J.D., *cum laude*, University of Florida Levin College of Law, 2014
  - Dean's List, 2011-2014
  - Book Awards:
    - Insurance Law
    - Torts
    - Medical Technology
- B.A., Economics, Stanford University, 2010
  - Kappa Sigma Fraternity, Member
  - Cardinal Highland Athletic Club, Co-Founder
  - Stanford Football, Three-time Letterman

## Admissions

- Florida
- United States District Court, Southern and Middle District of Florida

individual basis shortly thereafter.

- Served as local counsel for a national discount brokerage defending class action claims related to a client's data breach. The claims were eventually dismissed with prejudice once the case was transferred to a favorable jurisdiction.

#### State Court Class Actions

- Secured dismissal of class action claims, including Florida Deceptive and Unfair Trade Practices Act (FDUPTA) claims, brought against a restaurant chain relating to the number of wings provided per customer order.
- Successfully defended class action claims, including Florida Deceptive and Unfair Trade Practices Act (FDUPTA) claims, in a matter initially filed in state court, removed to federal court, and ultimately remanded to and resolved favorably on an individual basis in state court, relating to condominium association dues and collections pursuant to Florida Statutes.

#### Commercial Landlord/Tenant

- Represented an Orlando-based commercial shopping center landlord in securing the urgent and time-critical evictions of multiple delinquent tenants, some of whom attempted to file for bankruptcy protection.
- Represented a commercial landlord located in Tallahassee, Florida in evicting and pursuing damages against delinquent tenant and guarantor.
- Successfully represented a commercial landlord, through its property management company, in securing the eviction of multiple delinquent tenants who attempted various litigation tactics, including attempting to contest service of process, in order to remain in the premises.

## Honors and Distinctions

- *Florida Super Lawyers*, Rising Star, Business Litigation, 2019-2023
- *The Best Lawyers in America: Ones to Watch*, Commercial Litigation, 2021-2024
- *Florida Trend's Legal Elite*, Up & Comer, Commercial Litigation, 2017-2022
- New Leaders Council Tampa Bay, Fellow, 2015

## Professional Involvement

- Hillsborough County Bar Association
- New Leaders Council (NLC), Fellow, 2015
- The Florida Bar

## Community Involvement

- Stanford University Club, Tampa Bay, Co-Founder
- University of Florida College of Law, Law Alumni Council
- American Cancer Society, 2020 Tampa Cattle Baron's Ball, Co-Chair
- John Germany Young Readers "Read to Dream" Initiative, Volunteer
- Greater Tampa Chamber of Commerce - Tampa Bay Emerge Member
- United Way Suncoast Toqueville Society, Member

## Thought Leadership

- [Bert McBride Discusses Class Action Lawsuits in the Daily Business Review](#), *Daily Business Review*, September 2023
- ["Foreclosing Bartram,"](#) Author, *The Florida Bar Journal*, Volume 91, No. 2, February 2017