

David T. Coulter



Shareholder

Miami Office

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PRACTICE AREAS

Healthcare

Litigation & Dispute Resolution

Election & Political Law

Antitrust, Competition &

Consumer Protection

OVERVIEW

David T. Coulter is a Shareholder in the Litigation department. He practices in all areas of commercial dispute resolution before state and federal courts, through trial and appeal, as well as in domestic and international arbitration proceedings.

David was a law clerk to the Honorable William J. Zloch, United States District Court for the Southern District of Florida. During law school, David was also a legal intern to the Honorable John J. O'Sullivan, United States District Court for the Southern District of Florida and the Honorable Ivan F. Fernandez, Florida Third District Court of Appeal.

He earned his J.D., *summa cum laude*, from the University of Miami School of Law.

REPRESENTATIVE EXPERIENCE

Represented national vacation ownership company as defendant in United States District Court for the Southern District of New York, where over 100 owners at The Manhattan Club had asserted various claims and touted damages of over \$100 million. The district court dismissed the single federal claim with prejudice and declined to exercise supplemental jurisdiction over the remaining claims.

Represented Flagstone Island Gardens LLC and Flagstone Development Corporation in a suit against the City of Miami in connection with Flagstone's right to develop and lease a \$1.2 billion mixed-used hotel, retail and marina project on Watson Island. Flagstone won the bid to develop in 2001 and subsequently obtained financing. However the market crash in 2007 caused investors to walk out on the project. In 2010, the City and Flagstone amended the agreement to include longer time periods to commence and complete development in phases. Throughout this period, a group of community activists opposed to the project started a campaign to block the project, filing a lawsuit to block its development for alleged violations of the City Charter and submitting numerous letters to city officials. Building permits that should have been granted were stalled and the City Commission, led by Commissioner Russell, declared Flagstone in default. Flagstone sued to declare that there was no default and seek damages for the City's breach of the agreements.

The case was bifurcated between liability and damages. After a 7-day bench trial on liability, Judge William Thomas entered a 27-page order finding against the City and in favor of Flagstone on every disputed issue. In regards to the remedies phase, our team achieved a settlement allowing Flagstone to recover all of its fees and costs of about \$5 million, an additional \$5 million for other expenses and an additional \$10 million over time. Additionally, the City accepted development agreements providing substantial economic value. Finally, our team obtained the prompt dismissal with prejudice of the community activists' complaint against Flagstone, which was affirmed by the Third District Court of Appeal.

Represented Cleveland Clinic Florida ("CCF") and Cleveland Clinic Hospital ("CCH") at trial in the United States District Court Southern District of Florida. The Plaintiff alleged that CCF, through its employed emergency medicine physician, and CCH, committed medical malpractice in failing to diagnose, treat, and admit the patient to the hospital for an abdominal infection thus leading to multiple surgeries and permanent scarring. The Plaintiff sought damages in excess of \$2,000,000. The trial lasted six days (with deliberations briefly spilling over to a seventh day). CCH's motion was granted for directed verdict at the close of our case in chief. The jury subsequently returned a verdict in favor of the remaining Defendant, CCF. The jury took less than three hours total to deliberate before finding the CCF's emergency room physician met the standard of care in all regards as it related to the Plaintiff's medical care.

PROFESSIONAL & COMMUNITY INVOLVEMENT

Charles C. Papy, Jr. Moot Court Board, Alumni Advisory Board

RECOGNITION

Florida Super Lawyers, Rising Star, 2022-Present

Dean's Merit Scholarship

Falk, Waas, Hernandez, Cortina Scholarship

Karl N. Llewellyn Scholarship

M. Minnitte Massey Award, 2016

Patricia Redmond Scholarship

Paul B. Anton Scholarship

Thomas Ewald Memorial Award, 2015

Who's Who in American Universities and Colleges, 2015

NEWSROOM

In the Media: [Stearns Weaver Names 11 New Shareholders Across Fla.](#)

| October 2022

Firm Announcements:

Stearns Weaver Miller Names 11 New Shareholders

| October 2022

In the Media: [Suspended Florida Doc Can't Get Files From Hospital](#)

Law360 | | June 2021

In the Media: [‘Sovereign immunity’ makes Florida a deadbeat debtor. The state should pay up.](#)

South Florida Sun Sentinel | | October 2019

In the Media: [Miami's Watson Island Flagstone Project Wins on Appeal](#)

Daily Business Review | | July 2019

In the Media: [Miami Residents Can't Revive Suit Against \\$400M City Project](#)

Law360 | | July 2019

In the Media: [Stearns Weaver Team Successfully Defends Cleveland Clinic in \\$2M MedMal Suit](#)

Daily Business Review | | May 2019

In the Media: [Miami Strikes \\$20M Damages Deal Over \\$400M Eviction Effort](#)

Law360 | | May 2019

In the Media: [Watson Island Developer Wins Case Against Miami, Plans to Seek Damages](#)

Daily Business Review | | March 2018

In the Media: [Developer Beats City Of Miami In Suit Over \\$400M Project](#)

Law360 | | March 2018

Firm Announcements: [Stearns Weaver Miller Adds Seven Associates Across Five Practice Areas](#)

| November 2017

EDUCATION

J.D., *summa cum laude*, University of Miami School of Law, 2015

University of Miami Law Review, Articles & Comments Editor

Charles C. Papy, Jr. Moot Court Board, President

CALI Excellence for the Future Awards: Advanced Appellate Advocacy II, Bankruptcy, Criminal Procedure, Effective Client Communications, First Amendment, and Legal Communication and Research II

Dean's Certificates of Achievement: Civil Procedure, Federal Courts, Legal Communication and Research I, Legal Communication and Research II, and Property

Dean's Fellow, Civil Procedure

Dean's List

Iron Arrow Honor Society

Order of Barristers

Order of the Coif

B.S., *magna cum laude*, Arizona State University, 2012

Dean's List

University Academic Grant Recipient

Order of Omega National Honor Society

ADMISSIONS

Florida