



## ELEANOR T. BARNETT

### PARTNER

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Eleanor Barnett is a trial lawyer and managing attorney of the firm's Miami office. She focuses her practice on complex commercial and business litigation, real estate litigation, trust and probate litigation, and employment litigation.

She has experience litigating matters in both state and federal courts throughout Florida and other jurisdictions throughout the country. She has handled matters through trial in various areas of business disputes, including actions involving employment discrimination, construction, breach of contract, breach of fiduciary duty, partnership disputes, all facets of real estate matters, insurance coverage disputes, and copyright and trademark infringement.

### BACKGROUND

Eleanor served as co-managing partner at Waldman Barnett before it combined with Armstrong Teasdale in 2022.

### EDUCATION

- Emory University School of Law (J.D., 2000)
- Georgetown University (B.A., *cum laude*, 1997)

### CHARITABLE AND CIVIC INVOLVEMENT

- Breakthrough Miami – Advisory Board Member (2018-present)
- Ransom Everglades (Member of the Executive Board of REPA, 2017- present; Parent Chair for Fund for RE, 2021-2022, 2022-2023)
- Georgetown University (Local Interviewer, 2000- present)

### ACCOLADES

- Litigation Counsel of America, Fellow
- Chambers USA: America's Leading Lawyers for Business, Litigation: General Commercial (2024)
- The Best Lawyers in America®, Commercial Litigation (2019-present); Litigation - Real Estate (2026)
- Florida Trend's Legal Elite (2015)

### SERVICES AND INDUSTRIES

Litigation

Complex Commercial Litigation

Trusts, Estates and Private Wealth Management

Employment and Labor

Real Estate

Insurance Coverage Litigation

Real Estate, Development, Construction

### ADMISSIONS

Florida

U.S. District Court, Southern District of Florida

U.S. District Court, Middle District of Florida

U.S. District Court, Northern District of Florida

- Florida Trend's Legal Elite Up and Comer (2012)

## EXPERIENCE

### **Secured \$4.4 Million Judgment for International Membership Club in Construction**

#### **Defect Case**

Led a litigation team during non-jury trial resulting in a \$4.4 million judgment for client, the largest operator of membership warehouse clubs servicing Latin America (Central America, the Caribbean and Colombia), related to a defective concrete slab floor in their 300,000-square-foot warehouse in Medley, Florida, which ultimately required complete removal and replacement of the floor.

### **Secured \$26 Million Jury Verdict for Developer**

Led a litigation team to secure a \$26 million jury verdict for client and developer in a protracted case brought by an adversarial homeowners' association fighting to stop the development of a luxury condominium project in Aventura's Dumfoundling Bay. The case won recognition as No. 7 in the "Top 10 Verdicts in Florida" in 2018.

### **Successfully Defended Client in Dispute for Asset Control**

Successfully defended client and trustee in bitter dispute between siblings in federal court for control of trust assets.

### **Secured Summary Judgment for Developer and Others**

Secured summary judgment in favor of developer and various other entities, and three individuals against defamation and malicious prosecution claims in federal court seeking punitive damages.

### **Secured Jury Verdict and Punitive Damages**

Secured a jury verdict of over \$20 million and \$4 million in punitive damages against defendants regarding fraudulent activity by joint venturers concerning a failed hotel resort project in the Bahamas. The case won recognition as No. 4 in the Top 10 Verdicts in Florida in 2014.

### **Defended Beneficiary's Claim Involving Large Television Station Group**

Defended to verdict a seven-figure claim by a beneficiary concerning interpretation of codicil to will involving contractual obligations and control of a large television station group.

### **Secured Spoliation of Evidence Order in Apartment Building Claim**

Secured a spoliation of evidence order and "adverse inference" against any claim for liability at a jury trial in a \$45 million claim against the property manager, termite company and other parties affiliated with a residential apartment complex near the University of Central Florida.

### **Defended National Telephone Provider Against Unfair Trade Claims**

Defended through successful resolution of purported class action in Southern District of Florida against national telephone provider for claims of unfair and deceptive trade practices.

### **Successfully Defended Manufacturers in Trademark Infringement, Breach of Contract Actions**

Successfully defended two different manufacturers of creams and lotions in two

separate actions in the Southern District of Florida and the Federal District of Utah for trademark infringement and breach of contract.

## THOUGHT LEADERSHIP

October 2023

**Supplementary Proceedings: A Potential Avenue for Misuse and Undue Burden**

Miami-Dade Bar Bulletin