

## Amy L. Drushal

Shareholder

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### Overview

Amy Drushal is a shareholder and co-leader in 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

- Represented Trust in obtaining recovery of money lent to a limited liability company and 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-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

### 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

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, Commercial Litigation; Financial Services Regulation, 2019-2023
  - Lawyer of the Year, Financial Services Regulation, 2022
- *Florida Super Lawyers*, 2013 - 2022
  - *Florida Super Lawyers*, Top Women, 2020
  - *Florida Super Lawyers*, Rising Star 2010-2012
- *Florida Trend's Legal Elite*, 2016, 2018-2020, 2022
  - *Florida Trend's Legal Elite*, Up & Comer, 2015
- *Tampa Magazine's* Top Lawyers List, 2020, 2023
- 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 (YLD Representative), 2010-2012
  - Young Advocate's Committee, Subcommittee Chair, 2012-2014
- Young Lawyers Division (YLD)
  - YLD Fellow, 2011-present
  - Truth in Law School Education (TILSE) Committee, 2011-2013
    - Ex-Officio Chair, 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
- Hillsborough County Bar Association
- 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

- "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: Prejudgment Remedies For Unsecured Creditors," Creditors and Debtors' Practice in Florida - 7th Ed., Co-Author, 2019.
- "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," *Law Practice Today*, August 2016.
- "The Eleventh Circuit Speaks: The Bankruptcy Code Does Not Preempt the FD CPA," *The Cramdown*, Summer 2016.
- "Protection for Creditors in Bankruptcy? Judge Steele (M.D. FLA.) Holds That The Bankruptcy Code Precludes an FD CPA Claim For Filing a Proof of Claim on Time-Barred Debt," *The Cramdown*, Spring 2016.
- "Transforming Your Litigation Skills into Leadership Skills," *Law Practice Today*, December 2015.
- "Top 10 Reasons for Young Lawyers to Join the Law Practice Division," *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