



## NICOLE LEVY KUSHNER

### Partner

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Nicole concentrates her practice on a broad range of complex commercial litigation matters in federal and state court including commercial real estate litigation, commercial lease litigation, business and contract disputes, corporate governance disputes, and employment litigation. She is a 2013 graduate of the University of Florida, Levin College of Law, and a graduate of the University of Florida, Hough Graduate School of Business (M.B.A., 2013) and the University of Florida (B.S., 2009).

### Education

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J.D., University of Florida Frederic G. Levin College of Law  
M.B.A., University of Florida Hough Graduate School of Business  
B.S.B.A., University of Florida

### Bar Admissions

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Florida  
U.S. District Court, Southern, Middle, and Northern Districts of Florida

### Practice Teams

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## Practice Areas

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Complex Commercial Litigation

Construction Litigation

Real Estate Litigation

## Representative Matters

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- Representation of clients in complex real estate and business litigation, including defense of joint venture/partnership claims.
- Represented Fortune 500 company in a dispute over control of a Florida LLC created to re-develop a 32-acre mixed use parcel in South Florida for a multi-million dollar project.
- Represented South Florida manufacturer in an action against former shareholders and officers seeking an injunction for misappropriation of trade secrets under Florida law.
- Represented private lender in foreclosing a commercial mortgage, seeking to recover millions of dollars in damages for breach of a promissory note, and enforcing personal guaranties.
- Represented owner and operator of South Florida hotel properties in defense of actions brought pursuant to the Americans with Disabilities Act.
- Represented owner and operator of Miami Beach hotel property in defense of nuisance claims brought by neighboring condominium association.

## Awards & Honors

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- *The Best Lawyers in America*®, "Ones to Watch" 2022-2024
- *Florida Super Lawyers*, Rising Star, 2022-2023

## Community Activities / Associations

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- Board Member, The Federal Bar Association - Broward County Chapter, 2020-present
  - Chair, Law Student & Younger Lawyers
- The Florida Bar Civil Procedure Rules Committee, 2019-present
- The Florida Bar Rules of General Practice and Judicial Administration Committee, 2021-present
- American Bar Association, Litigation Section, Business Torts & Unfair Competition Committee
  - Co-chair, Young Advocate Subcommittee, 2020-2021
- Anti-Defamation League Civil Rights Committee, 2017- 2020
- Greater Miami Jewish Federation Sunset Over Miami Host Committee, 2015-2019
- Greater Miami Chamber of Commerce
  - Leadership Miami ®, Class of 2017
- American Bar Association, Litigation Section, Business Torts & Unfair Competition Committee
  - Co-chair, Young Advocate Subcommittee, 2020-2021
- Board Member, The Federal Bar Association - Broward County Chapter
- The Florida Bar Civil Procedure Rules Committee, 2019-present
- Anti-Defamation League Civil Rights Committee, 2017-present

- Greater Miami Jewish Federation Sunset Over Miami Host Committee, 2015-present

## **In the News**

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Forty-Three Berger Singerman Attorneys Recognized in the 2023 Edition of Best Lawyers In America  
August 18, 2022

Twenty-three Berger Singerman Attorneys Recognized in 2022 Edition of Florida Super Lawyers  
June 27, 2022

Thirty-nine Berger Singerman Attorneys Recognized in the 2022 Edition of Best Lawyers In America  
August 19, 2021

Berger Singerman Announces 2021 Elevations  
January 5, 2021

## **Publications**

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American Bar Association "Beware of Your Broker: Duties Arising from Agency Representation of Real Estate Professionals"  
July 8, 2020

Law360, "Florida Private Trials An Attractive Option During COVID-19"  
March 23, 2020

## **Events & Speaking Engagements**

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Nicole Levy Kushner, Panelist, "Complex Discovery Issues and Corporate Assertions of Privilege" ABA  
Litigation Section Roundtable  
August 24, 2021

## **Doing Business in Florida Blog**

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Hurricane Damage Caused by Flying Debris. Who's Liable?  
June 21, 2018

Medical Marijuana in Florida: The Prospects of Amendment 2 and the Rise of Charlotte's Web  
October 9, 2016

Medical Marijuana Bill Presented to Florida Governor  
March 14, 2016

Déjà vu: Claim and Issue Preclusion  
September 21, 2015

## **Prior Affiliations**

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- Duane Morris LLP