

FA FORREST ANDREWS

Forrest Andrews is the Chair of Lydecker LLP's Appellate Department and Co-Chair of its Commercial Department. He is Board Certified in Appellate Practice by the Florida Bar and has experience handling all types of appellate proceedings, including extraordinary writs, in state and federal courts.

In addition to appeals, Forrest focuses his practice on:

- Providing litigation support services to trial counsel by developing effective strategies at the trial level in anticipation of an appeal;
- Complex commercial, environmental, and governmental litigation; and
- preparing dispositive pre-trial motions, jury instructions, motions in limine, and motions for directed verdict.

Before joining Lydecker LLP, Forrest had an extensive career in the public sector. Forrest began his legal career with the Miami-Dade County State Attorney's Office and prosecuted numerous misdemeanor and felony cases. Forrest was also assigned to the highly selective Narcotics Unit where he prosecuted complex drug trafficking cases and provided legal advice and training to other prosecutors and law enforcement officers.

Next, Forrest served as an Assistant Attorney General at the Office of the Attorney General, Criminal Appeals Bureau for over two years. During that time, he drafted more than 100 appellate briefs, presented over 20 oral arguments in the Florida Supreme Court and the Third District Court of Appeal of Florida, and handled federal habeas corpus cases.

After working several years in civil litigation, Forrest resumed his appellate practice at the City of Miami Attorney's Office. He served as appellate counsel for the City of Miami on a variety of legal issues in Florida appellate courts, the United States District Court for the Southern District of Florida, and the United States Court of Appeal for the Eleventh Circuit. Among the matters Forrest handled were civil rights suits under 42 U.S.C. § 1983, personal injury, municipal law, public records and sunshine law cases, and employment cases.

Professional and Community Involvement

- Florida Bar Appellate Practice Certification Committee
- Florida Bar Grievance Committee, Past Chair
- Florida Bar Basic Appellate Practice CLE, Presenter - 2019
- Florida Bar Appellate Section, Member
- Florida Bar State and Local Government, Member
- Miami-Dade County Charter Review Task Force, 2017-2018, Member
- Third District Court of Appeal Historical Society, Member
- Florida Bar Traffic Rules Committee, 2010-2015, Member



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ADMISSIONS

- Florida
- United States District Court for the Southern District of Florida
- United States District Court for the Middle District of Florida
- United States Court of Appeals for the 11th Circuit
- United States Supreme Court

EDUCATION

J.D., Albany Law School of Union University, 2005

- Merit scholarship
- Albany Law Journal of Science and Technology, Associate Editor
- John J. Gibbons National Criminal Procedure Moot Court Competition, Member
- Karen C. McGovern Senior Prize Trials Competition, Member
- Family Violence Clinic, Student Advocate

B.A., University of Delaware, 2002

- Majored in Political Science with a Concentration in Public Law

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Significant Representations & Experience

Forrest has been involved in various cases involving complex issues of law, resulting in leading authorities at both state and federal levels. Some of these representative cases include:

Civil Cases - Florida

- Biscayne Marine Partners, LLC v. City of Miami, Case No. 17-335 AP 01 (Appellate Division of the Circuit Court for the Eleventh Judicial Circuit) (2018) (Represented the City in upholding Hearing Officer's decision affirming the City's recommendation to award a bid)
- City of Miami v. Santos, 278 So. 3d 822 (Fla. 3d DCA 2019) (Represented the City in obtaining reversal of trial court's order enjoining the City from proceeding with a disciplinary hearing against police officer)
- City of Miami v. Fraternal Order of Police Lodge #20, 248 So. 3d 273 (Fla. 3d DCA 2018) (Obtained reversal of trial court's order denying City's motion to vacate arbitration award based on arbitrator exceeding his authority pursuant to provisions of the Collective Bargaining Agreement)
- City of Miami v. Hagan, 235 So. 3d 977 (Fla. 3d DCA 2018) (Obtained reversal in Second-Tier Certiorari Review of the Circuit Court Appellate Division's Order finding that the City Manager exceeded his authority to discipline an employee with civil service status)
- City of Miami v. Navarro, 187 So. 3d 292 (Fla. 3d DCA 2016) (Obtained reversal of trial court's order denying the City's motion for directed verdict based on insufficient evidence of constructive notice of an alleged dangerous condition)
- Cruz v. City of Miami, Case No. 15-276 AP (Appellate Division of the Circuit Court for the Eleventh Judicial Circuit) (2017) (Represented the City in upholding the City Commission's rezoning decision)
- Flores v. Alan Marshall Construction Corporation, 266 So. 3d 1174 (Fla. 4th DCA 2019) (affirming summary judgment entered in favor of property owner in negligence action filed by contractor)
- Herbits v. City of Miami, 246 So. 3d 1226 (Fla. 3d DCA 2018) (Represented the City in upholding trial court's order finding that it did not violate Florida's Public Records Act and where plaintiff sought more than \$200,000.00 in attorney's fees)
- Herbits v. City of Miami, 207 So. 3d 274 (Fla. 3d DCA 2016) (Represented the City of Miami in upholding trial court's order dismissing complaint alleging Charter violations)
- Leon v. Carollo, 246 So. 3d 490 (Fla. 3d DCA 2018) (Represented the City Clerk in upholding a final judgment in a post-election contest)
- Luckman v. Wills, 2020 WL 4341883 (Fla. 3d DCA 2020) (Upholding summary judgment order finding that resort did not owe a duty of care to guest who was struck by a vehicle while crossing a public street)
- McCausland v. Hooters of America, LLC, Case No. 2017-CA-000492 (Polk County, Florida 2018) (Successfully obtained order denying Plaintiff's motion for leave to add a punitive damages claim in dram shop lawsuit)
- Pestle v. City of Miami, 208 So. 3d 1253 (Fla. 3d DCA 2017) (Represented the City in upholding the trial court's order granting its motion for summary judgment on alleged Sunshine Law Violation claims)
- Prio v. City of Miami, 221 So. 3d 624 (Fla. 3d DCA 2016) (Represented the City in upholding defense verdict in wrongful death case)
- TSI Aviation, Inc. v. TREA Broward Industrial Pointe West, LLC, et al., Case No. CACE 19-008038 (Broward County, Florida 2021) (Successfully obtained summary judgment in favor of commercial property owner and its management company in mold exposure lawsuit)

Federal Cases

- Wright v. Williams, et al., 22-cv-60305 (S.D. Fla. 2023) (represented municipal police officer in obtaining order of dismissal of 42 U.S.C. § 1983 action where plaintiff alleged the use of excessive force)
- Alexandre v. Josue Herrera, et al., Case No. 16-cv-23064 (S.D. Fla. 2021) (obtained defense verdict for two municipal police officers in 42 U.S.C. § 1983 action where plaintiff alleged the use of excessive force)
- Viera v. City of Lake Worth, et al., 2022 WL 17685285 (Fla. 4th DCA 2022) (represented the City of Lake Worth in upholding order dismissing complaint alleging invasion of privacy, breach of contract, and disclosure of private information)
- Marsie-Hazen v. City of Miami Gardens, 350 So. 3d 66 (Fla. 3d DCA 2022) (represented the City of Miami Gardens in upholding order dismissing complaint alleging wrongful termination and discrimination)
- Burger v. Humane Society of Tampa Bay, Inc., 327 So. 3d 835 (Fla. 2d DCA 2021) (represented the Humane Society in upholding summary judgment order finding it could not be vicariously liable for the negligence of an independent contractor)
- Imperato v. Navigators Insurance Company, 2021 WL 4470238 (11th Cir. 2021) (represented insurance carrier in upholding order affirming dismissal of plaintiff's complaint)
- Viera v. City of Lake Worth, et al., 2021 WL 1235690 (11th Cir. 2021) (represented the City of Lake Worth in upholding order dismissing Plaintiff's 42 U.S.C. § 1983 claims alleging disclosure of private information)

Significant Representations & Experience

Federal Cases

- Ferrier v. Cascade Falls Condominium Association, Inc., 820 Fed. Appx. 911 (11th Cir. 2020) (represented condominium association in upholding order dismissing order dismissing Plaintiff's Fair Housing Act claims)
- Coipel v. Carpenter, et al., 2017 WL 3432299 (S.D. Fla. 2017) (City's motion for summary judgment granted on the grounds that it did not have a policy or practice that was the moving cause of plaintiff's alleged damages for false arrest, false imprisonment, or excessive force claims by police officers)
- Picardat v. City of Miami, 2017 WL 1251897 (S.D. Fla 2017) (Represented the City and several police officers in obtaining summary judgment in 42 U.S.C. § 1983 action where plaintiff's final demand was \$2,500,000.00 for alleged unreasonable search and seizure, false arrest, excessive force, and failure to train)
- Pottinger v. City of Miami, 805 F.3d 1293 (11th Cir. 2015) (Represented the City in upholding district court's order denying class counsel's motion for attorney's fees in a 42 U.S.C. § 1983 and 42 U.S.C. § 1988 for their work performed in connection with a consent decree modification proceeding)

Publications and Presentations

- Small Bites: Obesity Lawsuits Prepare to Take on the Fast Food Industry, Albany Law Journal of Science and Technology, 15 Alb. L.J. Sci. & Tech. 153 (2004)
- Do's and Don'ts of Motions for New Trials Based on Closing Argument in the Trial Court and on Appeal, Dade County Bar Appellate Court Committee Fall Seminar (2017)
- Retroactive Application of Law to Cases Pending on Appeal, The Record, Florida Bar Appellate Section (2018)
- Appellate Motion Practice, Florida Bar Basic Appellate Practice CLE (2019)
- Retroactive Application of the Law to Cases Pending on Appeal, The Florida Bar CLE (2020)
- Municipal Charter Review, Florida Municipal Attorney's Association (2021)
- Retroactive Application of Law to Pending Appeals, Appellate Practice Series/Guardian Ad Litem Seminar CLE (2022)
- Practicing Before the Third District Court of Appeal Seminar (2022)