

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: June 21, 2016

☒ Consent ☐ Regular
☐ Public Hearing

Department

Submitted By: COUNTY ATTORNEY
Submitted For:

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to: authorize the law firm of Gordon & Doner, P.A., to substitute Robert Gordon, Esq. as lead counsel to perform legal services under the Contract for Professional Legal Services between the County and Gordon & Doner, P.A., dated March 5, 2015.

Summary: Since April 1, 2015, the County has contracted with the law firm of Gordon & Doner, P.A., to provide legal services to the County relating to personal injury protection ("PIP") insurance claims for auto-related Fire-Rescue emergency transport services. The contract names Melissa Lewis as the lead attorney to provide legal services to the County, and requires the law firm to obtain the County's written authorization in order to substitute lead counsel. On March 8, 2016, the law firm advised the County that Melissa Lewis has left the firm. The law firm has identified Robert Gordon, as the lead attorney to perform the legal services under the contract. Upon the Board's approval for the firm to substitute Robert Gordon as lead counsel, the County Attorney's Office will, in accordance with Florida Bar rules, sign an acknowledgement that the County desires for Gordon & Doner to retain the County's files and continue to represent the County. Countywide (SGB)

Background and Justification: The Board directed staff to hire a PIP attorney to work with Fire-Rescue's third-party billing company to enhance recovery of PIP benefits from insurers. Pursuant to RFP CA/2015-01, Gordon & Doner was selected. The County's contract with Gordon & Doner, P.A. is for a three year term, which commenced on April 1, 2015. The legal services include representation of, and expert advice to, the County in lawsuits filed on the County's behalf against insurers to recover PIP insurance benefits due to the County from its provision of Fire-Rescue emergency transport services. The contract provides for no payment to the law firm by the County; however, the law firm may retain attorney's fees and costs in related PIP litigation.

Attachments:

1. Letter from Gordon & Doner, P.A., with Florida Bar rule acknowledgment.
2. Letter from Gordon & Doner, P.A., with resume of Robert Gordon.

Recommended by: _____

County Attorney

5.24.16

Date

Approved by: _____

N/A

Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	**	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes _____ No _____

Budget Account No.: Fund _____ Department _____ Unit _____ Object _____

Reporting Category _____

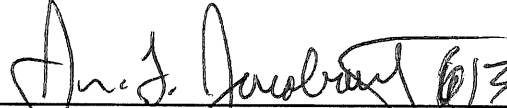
B. Recommended Sources of Funds/Summary of Fiscal Impact:

C. Departmental Fiscal Review: **No fiscal impact.

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development and Control Comments:


5/24/16 OFMB JLS


Contract Development and Control
6/3/16 TA

B. Legal Sufficiency:


5/24/16
Assistant County Attorney

C. Other Department Review:

Department Director

THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.



STACIE BARNES
STEVEN G. CALAMUSA
ADAM S. DONER
SCOTT M. FISCHER
ROBERT E. GORDON^{1,2}
TREVOR M. GORDON
DAVID KNIGHT
MELISSA M. LEWIS
CASSANDRA CASTELLANO LOMBARD
MARTIN D. MEHAN
DOUGLAS H. MORRIS
GARY M. PAIGE
ADAM G. WERNER
DANIEL G. WILLIAMS^{1,3}

ForTheInjured.com

4114 NORTHLAKE BOULEVARD
PALM BEACH GARDENS, FLORIDA 33410
TEL: (561) 799-5070 or 1 (888) ForTheInjured
FAX: (561) 799-4050

INVESTIGATORS:
CHRIS CALAMUSA^{4,6}
RONALD CATALDO
JAMES HERRON
JOHN OROZCO⁴
DANIEL OSREDKAR; ASE

OF COUNSEL:
INGRID DOMINGUES-McCONVILLE

March 8, 2016

Sent via U.S. Mail and email: sburrows@pbcgov.org and gina.auguste@intermedix.com

Palm Beach County Fire Rescue
401 Pike Road
West Palm Beach, FL 33411

RE: PIP Cases

Dear Sir or Madam:

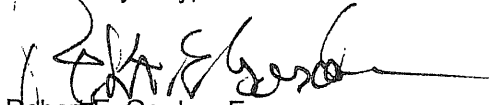
On March 3, 2016, Melissa Lewis left our law firm to commence practice as a sole practitioner. Her phone number is (561) 309-8244.

Inasmuch as Melissa Lewis was your designated attorney on the above matter, we are required by the Rules Regulating The Florida Bar to inform you that you have the right to choose to have Melissa Lewis continue in her new capacity to represent you in these matters, or you may have our firm continue to represent you, in which case your files will be handled by a lawyer to be designated by us, or you can choose to retain an entirely new lawyer.

If you wish to have Melissa Lewis or a new lawyer continue to represent you, arrangements to secure your outstanding accounts with us will be have to be made before the files can be released to Melissa Lewis or a new lawyer. You may be liable for fees and costs for services already provided by the firm.

Please advise Melissa Lewis and us, as quickly as possible, of your decision so that continuity in your representation is assured. You may do so by indicating your choice below and returning a signed and dated copy in the enclosed stamped envelope. Please retain the additional copy of this designation letter for your records.

Yours very truly,


Robert E. Gordon, Esq.
REG/es

cc: Melissa Lewis via email: djwrlewis@gmail.com

Instructions:

- ☐ I wish my file(s) to stay with Gordon & Doner, P.A.
☐ I wish my file(s) and trust account balance(s) to be transferred to Melissa Lewis, Esq.
☐ I will retain new counsel and have them contact Gordon & Doner, P.A.

Printed Name

Signature

Date

OFFICES:

PALM BEACH GARDENS • STUART • DAVIE • FT. LAUDERDALE

¹FLORIDA BAR BOARD CERTIFIED CIVIL TRIAL LAWYER ²BOARD CERTIFIED CIVIL TRIAL ADVOCATE BY THE NATIONAL BOARD OF TRIAL ADVOCACY
³MEMBER OF PENNSYLVANIA & NEW JERSEY BARS ⁴ASE CERTIFIED AUTOMOTIVE TECHNICIAN BY THE NATIONAL INSTITUTE FOR AUTOMOTIVE SERVICE EXCELLENCE
⁵NUFCO; CDR TECHNICIAN, VEHICLE DYNAMICS, CRASH RECONSTRUCTION ⁶I-CAR CERTIFIED



STEVEN G. CALAMUSA
ADAM S. DONER
SCOTT M. FISCHER
ROBERT E. GORDON^{1,2}
TREVOR M. GORDON
DAVID KNIGHT
MELISSA M. LEWIS
CASSANDRA CASTELLANO LOMBARD
MARTIN D. MEHAN
RACHEL E. MOORE
DOUGLAS H. MORRIS
GARY M. PAIGE
ADAM G. WERNER
DANIEL G. WILLIAMS^{1,3}

ForTheInjured.com

3309 NORTHLAKE BOULEVARD, SUITE 207
PALM BEACH GARDENS, FLORIDA 33403
TEL: (561) 333-3333 or 1 (888) ForTheInjured
FAX: (561) 799-5763

INVESTIGATORS:
RONALD CATALDO
JAMES HERRON
JOHN OROZCO
DANIEL OSREDKAR; ASE

OF COUNSEL:
INGRID DOMINGUES-MCCONVILLE

May 24, 2016

Palm Beach County Board of County Commissioners
301 N. Olive Avenue, Suite 601
West Palm Beach, FL 33401
Attn: Sharon G. Burrows, Sr. Assistant County Attorney

Re: Palm Beach County Fire Rescue PIP Claims

Dear Ms. Burrows:

The purpose of this letter is to inform you that Gordon & Doner, P.A. is identifying Mr. Robert E. Gordon as attorney in charge of the firm's PIP Department.

As such, please find attached Mr. Gordon's resume to be approved by Palm Beach County Board of Commissioners.

Our firm looks forward to continuing to serve Palm Beach County Fire Rescue with their PIP claims.

Sincerely,

A handwritten signature in cursive script, appearing to read "CH".

Cherish Hankinson for
Robert E. Gordon, Esq.

Gordon & Doner, P.A.

REG/clh

Robert Earle Gordon

4114 Northlake Blvd., Palm Beach Gardens, FL 33410 (561) 799-5070 rgordon@fortheinjured.com

EDUCATION

B.S.(JM) University of Florida 1975

J.D. University of Florida 1978

ADMITTED TO BAR

- 1978, Florida
- 1979, U.S. District Court, Southern District of Florida
- 1990, U.S. District Court, Middle District of Florida

PROFESSIONAL EXPERIENCE

- 1978 – 1982 - **Farish & Farish**, Associate
- 1982 – 1984 - **McGee, Jordan, et al**, Associate
- 1984 – 1992 - **McGee, Jordan, et al**, Shareholder
- 1993 – Present - **Gordon & Doner, PA**, Co-Founder
The firm represents Plaintiffs in claims for PIP benefits; personal injuries arising out of auto accidents, slip, trip and falls, medical negligence, nursing home neglect and abuse, and defective products; worker’s compensation benefits; social security disability benefits; veteran’s benefits; homeowner’s insurance benefits; and auto property damage claims.

CAREER HIGHLIGHTS

- Certified Civil Trial Lawyer by the Florida Bar Board of Certification
- AV-rated by Martindale-Hubbell
- 2007 – 2016 Florida Super Lawyers list

LAW ASSOCIATIONS AND MEMBERSHIPS

- Palm Beach County Bar Association
- American Justice Association
- Public Investors Arbitration Bar Association
- Florida Justice Association (Member, Board of Directors, 1997 - 2002)
- Palm Beach Justice Association (President, 1997)
- Million Dollar Advocates Forum (Board Certified Civil Trial Lawyer, Florida Bar Board of Legal Specialization and Education); (Board Certified Civil Trial Advocacy Specialist by the National Board of Trial Advocacy)
- Florida Super Lawyers®, 2015
- Board of Directors, Brain Injury Association of America (2005)
- President, Palm Beach County, Young Democrats, 1981 - 1982
- Member: Land Use Advisory Board, Palm Beach County, 1986 -1987
- Leadership Palm Beach County, Class of 1990
- Brain Injury Association of Florida (Member, Board of Directors, 1999 - 2004)
- Founder, Coalition For Commercial Truck Safety; Association of Interstate Trucking Lawyers of America

PUBLICATIONS

- "The Fireman's Rule in Florida After Kilpatrick and Sanderson," AFTL Journal, January, 1990
- "Burned By Broker? Seek Arbitration," Palm Beach Review, February 11, 1991
- "Recent Case Law Limits Class Action Remedy," AFTL Journal, December, 1993
- "Litigating Bunk Bed Entrapment Cases," TRIAL, November, 1996
- "Repeal Statute Limiting Filing Time for Cruise Ship Injuries," The Business Journal, June 9-15, 2000
- "On-road trucker training should be mandatory" South Florida Business Journal, February 13, 2004
- "ThyssenKrupp, and the Collateral Source Rule: Resolving the Ongoing Conflict," with Justin Linn, The Florida Bar Journal, December 10, 2010