

# Angel A. Cortinas

Board of Directors, Shareholder

Miami

acortinas@gunster.com

(305) 376-6043



## Practice & Industry Areas

- Business Litigation
- Appellate Law
- International
- Eminent Domain & Property Rights
- Professional Liability Defense
- Dispute Resolution
- Securities Law & Corporate Governance

## Education

- Harvard Law School, J.D., cum laude, 1987
- Brown University, B.A., magna cum laude, Latin American Studies, Political Science, 1984
  - Phi Beta Kappa

## Bar & Court Admissions

- Massachusetts Bar, 2014
- Florida Bar, 1989
- U.S. District Court
  - Northern District of Florida
  - Southern District of Florida
  - Middle District of Florida
- U.S. Court of Appeals
  - 11th Circuit
  - 5th Circuit

## Overview

Angel A. Cortiñas is a shareholder, serves on Gunster's board of directors, and is co-chair of the firm's Appellate practice group. Angel is Chambers USA ranked in litigation and previously served as an appellate judge on Florida's 3rd District Court of Appeal for more than 8 years. He reviewed civil and criminal appeals from trial courts, authoring over 500 appellate opinions. He also served as a trial judge, by Florida Supreme Court appointment, on civil and criminal jury trials.

Prior to his judicial tenure, Angel worked for 13 years as a federal prosecutor and was the lead trial attorney in the U.S. Attorney's Office's investigation and successful prosecution of Columbia HCA and Olsten Corporation, which was the largest fraud case in U.S. history and

the most comprehensive health care fraud investigation ever undertaken by the federal government.

As the former chief of the Fraud Section of the U.S. Attorney's Office in Miami, he supervised twenty prosecutors and oversaw all criminal fraud investigations and prosecutions involving corporate and securities fraud, bank fraud, health care fraud, computer crimes, tax fraud and other white collar offenses. He also worked in and oversaw the Health Care Fraud Section of the U.S. Attorney's Office in Miami for many years, working closely with hospitals, as well as with state and federal regulators.

Angel has tried over 30 jury trials to verdict in federal court and coordinated over 100 complex grand jury investigations. He has also authored numerous appellate briefs and argued before the 11th Circuit Court of Appeals.

### **Civil & White Collar Crime**

Angel's practice includes the representation of individuals and companies in civil business litigation, including legal malpractice defense, as well as white collar criminal matters. He has represented an AMLAW 50 Firm related to a professional negligence claim in the U.S. District Court for the Southern District of Florida, an AMLAW 100 Firm in a malpractice claim by a former client in Florida state court, and an AMLAW 100 Firm in an ethics claim brought in Florida state court. Angel has also represented an AmLaw 100 firm in disqualification proceedings in federal and state courts. He also represents clients in FCPA, False Claims Act and other anti-fraud matters; designs and implements compliance programs tailored to the particular needs of the client; conducts internal investigations; and advises clients on post-violation remediation. His extensive grand jury and trial experience allow him to effectively represent business entities and individuals in responding to government investigations and prosecutions.

Angel recently successfully represented a national insurance company in federal court, where the court granted a final summary judgment against Medicare Secondary Payer Act claims.

Chambers USA described Angel as follows: *"He has great judgment and terrific litigation instincts."* *"He is an excellent resource – he offers a unique perspective because of his time on the bench and his extensive trial experience."*

### **Appeals**

Angel successfully represented a Florida developer in the reversal of \$24M judgment in the Third DCA and successfully represented a Florida power company in affirming an order authorizing the expansion of its Turkey Point facility.

Angel's recent appellate experience includes successfully representing a beneficiary of an Estate and Trust in an appeal by another beneficiary to invalidate a Trust and Will,

representing an insured and insurance administrator in a pending federal court appeal, successfully representing an investment company in a state court appeal, successfully representing a developer in a challenge brought by a neighborhood association, and successfully representing a client in responding to a petition for a writ of certiorari pertaining to a discovery issue.

### **Mediation, Arbitration & Private Judging**

Angel regularly handles mediations and has successfully mediated many complex cases and disputes. Because Angel is also fluent in Spanish and Portuguese, he is able to conduct mediations in those languages. Angel treats each mediation as a unique matter and, after studying the particularities of a dispute, seeks to craft novel settlement solutions.

Angel is also engaged for private judging matters, moot judging of appellate oral arguments and arbitrations.

## **Representative Matters**

- Trial counsel in complex civil litigation in Miami-Dade Circuit Court in \$60 Million lawsuit that resulted in favorable settlement for the clients.
- Successfully represented client in reversal of \$24M judgment in the Third DCA
- Successfully represented electric power company in affirming order authorizing expansion of Turkey Point facility
- Successfully represented national insurance company in obtaining final summary judgments arising out of plaintiffs' Medicare Secondary Payer Act and claims
- AMLAW 50 Firm – Negligence claim by receiver – U.S. District Court for the Southern District of Florida
- AMLAW 100 Firm – Malpractice claim by former client – Florida state court
- AMLAW 100 Firm – Ethics claim by opposing party – Florida state court
- Lead Appellate counsel to developer who successfully obtained reversal of \$24 Million final judgment
- Developed FCPA compliance policy and program and trained critical employees for international mining company
- Lead trial counsel in complex civil litigation in Miami-Dade Circuit Court in defense of lawsuit seeking \$100 million in damages that resulted in favorable settlement for the clients
- Trial counsel in defense of seven class action lawsuits in U.S. District Court for the Southern District of Florida brought under the TCPA and Medicare Secondary Payer Act
- Successfully represented multiple targets of federal and state criminal investigations where no criminal charges were brought against the clients
- Lead appellate counsel in two environmental law lawsuits challenging commercial developments in Palm Beach County that resulted in affirmances in favor of the clients

- Developed FCPA compliance program for publicly traded company
- Lead trial and appellate counsel in family law case that resulted in \$12 million settlement in favor of client
- Appellate counsel in multi-million dollar probate case that resulted in affirmance of trial court judgment in favor of client
- Conducted internal investigation for a publicly traded company client
- Represented Ultra Music Festival before the Miami City Commission on contract issues
- Mediated a dispute on preservation of Tequesta Indian site in downtown Miami
- Mediated modification of landmark homeless settlement agreement in *Pottinger, et al. v. City of Miami*, U.S. District Court for the Southern District of Florida
- Argued appeal on behalf of Grand Birch, LLC in *Citizens for Responsible Growth v. Grand Birch, LLC* resulting in final order denying petition for a writ of certiorari
- Lead counsel for U.S. in the Southern District of Florida fraud claims against Columbia HCA and Olsten Corporation's subsidiaries
- Supervised and oversaw all aspects of investigation and prosecution of the top officers of Hamilton Bank regarding \$300 million in investor losses due to the collapse of publicly traded Hamilton Bancorp
- Supervised investigation and prosecution of multiple defendants in Bankest/Banco Espirito Santo regarding \$225 million fraud
- Supervised investigation of Lancer Management Group regarding \$500 million in investor losses
- Lead counsel for U.S. in criminal prosecution of Princess Cruises, Inc. for environmental crimes
- Lead counsel for U.S. on numerous fraud and tax cases
- Lead counsel for U.S. on numerous environmental cases and investigations
- Lead counsel on over 30 jury trials in federal court
- Lead appellate counsel on numerous appeals before the 11th Circuit Court of Appeals

## Honors

- *Chambers & Partners*, "Leaders in Their Field," Litigation: Appellate, 2021
- *The Best Lawyers in America*®, Commercial Litigation Law, Appellate Practice, 2018-22
- Attorney General's Exceptional Service Award, U.S. Department of Justice, 2001
- National Crime Victims Award, U.S. Department of Justice, 2000

## Publications & Presentations

- Lecturer, ABA Appellate Section, "Sound Advice," 2013
- Lecturer, ABA White Collar Crime National Institute, 2004
- Lecturer, Florida Bar International Law Section, 2003

- Instructor, U.S. Department of Justice, Anti-corruption, corporate compliance, fraud, money laundering and white collar crime, 1995-2004

## **Professional Associations & Memberships**

- American Bar Association, Appellate Practice Section, subcommittee chair
- Florida Bar
- Dade County Bar Association
- Federal Bar Association

## **Civic & Community Service**

- Local Rules Committee, U.S. District Court for the Southern District of Florida, 2013-present
- Bench and Bar Committee, U.S. District Court for the Southern District of Florida, 2013-present
- Florida Supreme Court, Committee on Jury Instructions in Business Cases, 2006-08
- Florida Bar, Committee on Pro Bono Legal Services, 2005-10
- Miami Senior High School, Mock Trial Team, volunteer coach, 2005-06
- Legal Services of Greater Miami, director, 1991-2001
- Miami Senior High, Legal and Public Affairs Program, mentor, 2000-02
- Governor's Commission for a Sustainable South Florida, 1994-95
- Brown University
  - Alumni board of governors, 1994-95
  - Club of Dade