

# Jonathan H Kaskel

## Shareholder

Miami  
jkaskel@gunster.com  
(305) 376-6023



## Practice & Industry Areas

- Business Litigation
- Dispute Resolution
- Securities Law & Corporate Governance
- Appellate Law
- Professional Liability Defense

## Education

- University of Florida, Gainesville, cum laude, J.D. 2007
- University of Florida, Gainesville, B.A., Economics & Political Science, cum laude, 2004

## Bar & Court Admissions

- United States District Court for the Middle District of Florida, 2014
- United States District Court for the Southern District of Florida, 2012
- United States Court of Appeals for the Eleventh Circuit, 2013

## Overview

Jonathan Kaskel represents clients in trial and on appeal, striving always to offer practical, realistic solutions.

Jonathan enjoys a diverse litigation practice centered on resolution of complex commercial disputes in various fields. Through his varied practice, Jonathan advocates for and counsels wide ranging clientele, from state and national banks, to developers, to attorneys facing claims of malpractice.

Throughout his career, Jonathan has supported his practice through active participation in Florida Bar programs. Recently, Jonathan completed his second term on the Florida Bar Appellate Rules Committee, where he worked to craft and implement recommendations to the Florida Supreme Court on revisions to the rules governing appellate practice in Florida.

## Representative Matters

- 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
- 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
- AMLAW 100 Firm – Malpractice claim by former client – Florida state court
- AMLAW 100 Firm – Ethics claim by opposing party – Florida state court
- Successfully represented private marina owner on appeal in property rights dispute
- Trial counsel in complex civil litigation in Miami-Dade Circuit Court in \$60 Million lawsuit that resulted in favorable settlement for the clients
- Appellate counsel in two environmental law lawsuits challenging commercial developments in Palm Beach County that resulted in affirmances in favor of the clients
- Successfully defended against preliminary injunction in federal court seeking to enjoin commercial development on Endangered Species Act (ESA) and National Environmental Protection Act (NEPA) claims
- Trial counsel in defense of multiple class action lawsuits in U.S. District Courts for the Southern and Middle Districts of Florida brought under the Medicare Secondary Payer Act (MSPA)
- Development of Foreign Corrupt Practices Act (FCPA) materials and program for private and publicly traded companies
- Internal investigations of healthcare and financial institutions concerning potential white-collar criminal claims by the United States Department of Justice
- Counsel to lender in multi-million dollar check kiting litigation
- Counsel to state chartered bank on first impression issue before the Eleventh Circuit on the federal banking law preemption of state law
- Counsel to national bank in suit to collect on multi-million dollar notes and foreclose security interest in real and personal property located in several states
- Counsel to major Miami music festival in dispute with City of Miami
- Counsel to online payment systems company in multi-state, federal class action litigation
- Litigated issue of first impression in the Southern District of Florida regarding the application of The Edge Act, 12 U.S.C. § 632. *CI Intern. Fuels, Ltda. v. Helm Bank, S.A.*, 707 F. Supp. 2d 1351 (S.D. Fla. 2010)
- Briefing of insurance policy interpretation dispute for the Florida Supreme Court, *State Farm Mut. Auto. Ins. Co. v. Menendez*, 70 So. 3d 566, 567 (Fla. 2011)
- Defended bank against claim for breach of fiduciary duty, *Branch Banking & Trust Co. v. Nat'l Fin. Services, LLC*, 2014 WL 2019301 (M.D. Fla. 2014)
- Argued issue of first impression in the United States Eleventh Circuit Court of Appeals regarding the National Bank Act's, 12 U.S.C. § 21 et seq., preemption of state law. *Pereira*

*v. Regions Bank*, 752 F.3d 1354, 1355 (11th Cir. 2014)

## Honors

- *AV Preeminent Rated as independently determined by Martindale-Hubbell*
- *University of Florida, Levin College of Law, Journal of Law and Public Policy*
- *Business Organizations*, Book Award (highest grade in class)
- *Florida Super Lawyers*, “Rising Star,” 2015-19

## Professional Associations & Memberships

- Dade County Bar Association, former director
- American Bar Association, member
- Florida Appellate Court, rules committee, 2018-21
- Florida Bar Grievance Committee, 11th Circuit, 2015-17