

Jorge D. Guttman

Shareholder

Miami

jguttman@gunster.com

(305) 376-6054



Practice & Industry Areas

- Business Litigation
- Banking & Financial Services Litigation
- International
- International Arbitration

Education

- University of Miami School of Law, J.D., *cum laude*, 2005
- Eckerd College, B.A., with honors, 2000

Bar & Court Admissions

- Florida, 2005
- U.S. District Court, Southern District of Florida
- U.S. District Court, Middle District of Florida

Overview

Jorge Guttman's practice is focused on complex business litigation and arbitration, with experience in both domestic and international disputes. Jorge represents large and small companies at all stages of the litigation or alternative dispute resolution process. Of note, he is experienced in international arbitration and 28 U.S.C. § 1782, an important tool for building and litigating cases outside the U.S.

Jorge is dedicated to the successful representation of his clients' interests using an approach that is objective, favors productive communication and, where appropriate, balanced compromise. His experience includes obtaining multiple multimillion-dollar judgments, awards and settlements over the course of his career.

Originally from Venezuela, Jorge is bilingual in Spanish and English. As a result, his practice has a strong Latin American emphasis, in which he represents multinational clients in cross-border disputes. Active in Florida's Latin American professional community, Jorge is a founding member and current Vice President of the Venezuelan American National Bar

Association (VENAMBAR). He also serves on the International Chapter and on the Attorneys' Division of the Greater Miami Jewish Federation, .

Fostering diversity, equity and inclusion is at the heart of Jorge's commitment to the legal profession and greater community at large. As the current chair of the firm's Diversity, Equity and Inclusion Committee, Jorge leads the group's efforts in creating programs and initiatives that result in developing diverse attorneys and ensuring an inclusive culture at Gunster. Jorge is steadfast in his belief that law firms can and should bring together different perspectives and approaches to problem solving that result in a more comprehensive way to advise and serve clients.

Representative Matters

- Represented wind energy company in applying for and obtaining evidence, pursuant to 28 U.S.C. § 1782, from subsidiary of wind turbine manufacturer and supplier, for use in German patent infringement action concerning storm control mechanisms for the operation of wind turbines with pitch control.
- Represented foreign members in U.S. limited liability company dispute resulting in favorable arbitration award
- Represented manufacturing company in AAA arbitration resulting in favorable arbitration award against multi-billion dollar multi-national company
- Represented the Republic of Chile in civil Racketeer Influenced and Corrupt Organizations Act (RICO) actions against several U.S. banks
- Secured judgments on behalf of two investment holding companies in a breach of contract action involving loans totaling more than \$68 million
- Represented a cigar manufacturer in a federal derivative action against the officers and directors of the company for breach of fiduciary duties
- Defended foreclosure action involving a major Florida mall
- Represented Chinese company in securities class actions related to "going private" transaction
- Represented Florida bank in litigation in New York federal court involving sale and servicing of a mortgage loan portfolio
- Represented numerous executives and companies in non-compete, executive compensation and severance matters
- Acted as legal counsel for the Receiver in a multi-million dollar securities laws violations case involving oil and gas partnerships
- Defended a large industrial supplier and wholesaler of materials for the petrochemical and process engineering industries, from premises liability claims
- Successfully represented a former employee of a publicly traded company in breach of contract action against former employer for the recovery of past due compensation and severance package

- Successfully defended a limited liability company against an action by an alleged member of the same, involving fraudulent inducement, breach of contract and unjust enrichment claims in connection with purchase of a residential waterfront building
- *In Re Application of Hornbeam Corp. Request for Discovery Pursuant to 28 U.S.C. 1782*, 14-CV-24887, 2020 WL 1302217 (S.D. Fla. Mar. 17, 2020)
- *In re Hornbeam Corp.*, 790 Fed. Appx. 199 (11th Cir. 2020)
- *Miriam Sutherlin v. Wells Fargo & Company*, 2018 WL 1203107 (M.D. Fla. 2018)
- *Mulvaney v. The GEO Group, Inc., et al.*, 2017 WL 887193 (S.D. Fla. Feb. 22, 2017)
- *WestLB AG v. BAC Florida Bank, et al.*, 912 F.Supp.2d 86 (S.D.N.Y. 2012)
- *APAC Customer Services, Inc. v. Michael Marrow et al.*, 2012 WL 1443091 (N.D. Ill.)
- *APAC Customer Services, Inc. v. Michael Marrow et al.*, 2012 WL 3235607 (N.D. Ill.)
- *Consejo De Defensa Del Estado De La Republica De Chile v. Espirito Santo Bank*, 2010 WL 2712093 (S.D. Fla. 2010)
- *Consejo De Defensa Del Estado De La Republica De Chile v. Espirito Santo Bank*, 2010 WL 2162868 (S.D. Fla. 2010)
- *Food Marketing Consultants, Inc., d/b/a Color All About It v. Sesame Workshop*, 2010 WL 1571206 (S.D. Fla. 2010)
- *Angelino v. Santa Barbara Enterprises, LLC*, 2 So. 3d 1100 (Fla. 3d DCA 2009)

Honors

- Florida Super Lawyers, 2012-23
 - “Rising Star,” 2012-13
- Florida Trend, “Legal Elite,” 2017-18, 2020, 2022
- South Florida Legal Guide, Top Up and Comer, 2015-16
- Florida Trend, “Up & Comer,” 2013-16

Publications & Presentations

- “[Sixth Circuit: Section 1782 Applies to Private Commercial Arbitration](#),” Daily Business Review, co-author, December 2019

Professional Associations & Memberships

- Venezuelan American National Bar Association (VENAMBAR)
 - Vice President
 - Founding Member
- Dade County Bar Association
- American Bar Association

Civic & Community Service

- Greater Miami Jewish Federation
 - International Division, Board Member
- American Jewish Committee, Latin American Task Force