

## THOMAS F. BROWN

CO-CHAIR, RIDESHARE LIABILITY PRACTICE GROUP  
SHAREHOLDER



### AREAS OF PRACTICE

Rideshare Liability  
Amusements, Sports & Recreation Liability  
Property Litigation  
General Liability  
Product Liability  
Trucking & Transportation Liability  
Construction Injury Litigation  
Catastrophic Claims Litigation

### CONTACT INFO

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### ADMISSIONS

Florida  
2001

U.S. District Court Southern  
District of Florida  
2008

### EDUCATION

University of Miami School of Law  
(J.D., cum laude, 2001)

Rollins College (A.B., 1998)

### HONORS & AWARDS

The Best Lawyers in America®,  
Personal Injury Litigation -  
Defendants  
2023-2025

### ASSOCIATIONS & MEMBERSHIPS

Florida Bar - Member, Workers'  
Compensation Section

International Amusement and  
Leisure Defense Association, Inc. -  
Member

Orange County Bar Association

### OVERVIEW

Tom devotes his practice to civil litigation defense, advocating for corporations in claims of premises liability, wrongful death and product liability. He has handled hundreds of cases on behalf of a variety of corporations, many involving catastrophic injuries. During his career, he also has handled cases involving employment law, labor law, negligent security, trucking and transportation, motor vehicle accidents, sexual abuse and workers' compensation. He also has experience handling cases involving allegations of mold resulting in personal injury and/or property damage. As part of his amusement and entertainment practice, Tom represents venues including theme parks, golf courses, water parks and retail stores. Tom is an active member of the International Amusement and Leisure Defense Association (IALDA).

Tom co-chairs the firms **Rideshare Liability** practice where he represents some of the nation's leading ridesharing companies, their independent drivers and insurance carriers. In this capacity, he assists in managing the unique legal issues that often arise with rideshare claims, including insurance coverage, direct and vicarious liability and statutory compliance challenges.

Tom began his career at a civil litigation firm in Miami where he worked with one of the presidents of the Florida Bar. In 2006, he moved to Orlando where he joined a statewide defense litigation firm. Tom continues to dedicate his practice to defending corporations in civil litigation here at Marshall Dennehey.

Tom obtained his undergraduate degree from Rollins College where he made Dean's List and President's List. In 2001, he graduated cum laude from the University of Miami School of Law. As a law student, he made Dean's List and earned the Dean's Certificate of Achievement as well as the CALI Excellence for the Future Award.

Tom is a member of the Florida Bar and is admitted to the United States District Court for the Middle District of Florida.

## THOUGHT LEADERSHIP

### **Federal District Court in California, Applying Florida Law, Dismisses Multiple Causes of Action Against TNC for Alleged Sexual Assault.**

**Orlando**  
**Rideshare Liability**  
**October 1, 2024**

The plaintiff, a resident of Florida, claimed she was sexually assaulted by a Lyft driver in Florida. Case Law Alerts, 4th Quarter, Octo

### **Federal District Court in Florida Grants Summary Judgment for Insurer, Finding that Transportation Network Company's Policy Did Not Provide UM and UIM Coverage for the Driver**

**Orlando**  
**Rideshare Liability**  
**July 1, 2024**

The defendant insurance company brought a declaratory judgment action to determine whether the policy it wrote to a Transportation Network Company (TNC) provided UM and UIM coverage to a TNC driver. Case Law Alerts, 3rd Quarter, July

### **Florida Senate Passes Bill Regulating Food Delivery Apps**

**Orlando**  
**Rideshare Liability**  
**April 1, 2024**

The Florida Legislature unanimously passed a bill to regulate food delivery platforms such as Uber Eats and DoorDash.

### **Federal Court Dismisses Wrongful Death Action Against an Online Food Delivery Platform**

**Orlando**  
**Rideshare Liability**  
**October 1, 2023**

The parents of a pedestrian brought an action for wrongful death and negligent infliction of emotional distress against DoorDash, alleging that a delivery driver negligently struck and killed the pedestrian while making a food delivery requested t Case Law Alerts, 4th Quarter, October 2023 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

### **On the Pulse...Our Rideshare Liability Practice Group**

**Fort Lauderdale**  
**Orlando**  
**Rideshare Liability**  
**March 1, 2023**

Meeting the Needs of the Rideshare Revolution Defense Digest, Vol. 29, No.

## CLASSES/SEMINARS TAUGHT

*Mock Trial, Trial Run, Tabletop Role Playing – Guilty or Not Guilty?*, Bus Industry Safety Council (BISC) Annual Summer Meeting, Orlando, FL, July 22, 2024

*Sharing Economy: Carshare and Rideshare Litigation*, Florida Defense Lawyers Association (FDLA) webinar, February 9, 2023

*The Complexity of Rideshare Claims*, AM Best Insurance Law Podcast, June 2021

*Defending Catastrophic Injury Claims - How to Stack the Deck in Your Favor*, Marshall Dennehey Florida Claims Symposium – Casino Royale, Tampa, FL, September 20, 2018

*Legal RoundTable*, Amusement Industry Manufacturers & Suppliers International Conference, Orlando, FL, 2015

*Blitz on Damages: Challenging Medical Bills*, Marshall Dennehey Florida Claims Symposium - *The Best Defense is a Good Offense*, Orlando, FL, September 17, 2014

*Analyzing Slip and Fall Claims*, Gallagher Bassett Services, April 2014, co-presenter

*Legal Round Table*, IAAPA Convention, 2012

*Reducing The Risk & Severity of Claims*, Athletic Business Conference, 2011

Roller Skating Association and International Laser Tag Association Convention, 2011

*Legal Round Table*, IAAPA Convention, 2011

## PUBLISHED WORKS

"Defending Ride-Hailing and Car-Sharing Claims: Handling Accident-Related Lawsuits in a Shared Economy," *CLM Magazine*, January 2022

## RESULTS

### Successfully Resolved Highly-Publicized Wrongful Death Action in Florida

#### **Amusements, Sports & Recreation Liability April 27, 2024**

In a case that attracted international media attention, we successfully resolved a wrongful death action involving a 14-year-old boy who tragically fell from an attraction at a major entertainment complex in Orlando. Representing the ride's owner/operator, we were able to navigate the complexities of a concurrent criminal investigation, a State of Florida administrative review, and widespread media coverage.

#### **SIGNIFICANT REPRESENTATIVE MATTERS**

Successfully resolved a wrongful death action involving a 14-year-old boy who tragically fell from an attraction at a major entertainment complex in Orlando, FL. Representing the ride's owner/operator, Tom was able to navigate the complexities of a concurrent criminal investigation, a State of Florida administrative review, and widespread international media coverage.

Obtained Judgment on the Pleadings on behalf of plaintiff's employer in a matter involving alleged intentional tort where demand was \$250,000.

Successfully argued a Motion to Dismiss for Fraud on the Court in a matter involving alleged electric shock where demand was over \$100,000.

Played an active role in the investigation, discovery, and motion phases of a product liability case that settled during deliberations in the second phase of trial where demand to jury was over \$500,000,000 but award against client after first phase of trial was less than \$50,000.

Prepared a successful Motion for Partial Summary Judgment on a negligent hiring and negligent supervision in a matter involving an employee that shot an innocent bystander, and the matter settled shortly thereafter.

Obtained defense verdict in workers' compensation case involving alleged permanent total disability.

## **REPRESENTATIVE CASES**

*O'Rourke v. Wal-Mart Stores, Inc.*, 65 So.3d 529 (Fla. 5th DCA 2011)

*Edwards v. Cornelius*, 2012 U.S. Dist. LEXIS 79587 (M.D. Fla. June 8, 2012)