



# Seth B. Burack

Partner

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Miami, FL  
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Seth focuses his practice on a wide range of commercial litigation matters, including business disputes, breach of contract matters, high-end banking litigation, fraud claims and all aspects within the financial services industry.

Seth also has extensive experience defending insurance companies and their policyholders in a variety of matters, including claims of bad faith, professional malpractice, automobile negligence, products liability and insurance coverage.

## Services

- Litigation
- Financial Services Industry
- Real Estate Litigation
- Appellate Practice
- E-Discovery

## Representative Matters

- Successfully defended and negotiated the settlement of a breach of contract action on behalf of a temporary staffing agency against a large municipality
- Obtained the complete dismissal from federal court of five separate employment discrimination claims against a major telecommunications company.
- Obtained a full defense verdict for a national bank in a multi-million dollar action for breach of fiduciary duty and breach of trust.
- Obtained dismissal of a \$7 million defamation lawsuit brought in federal court and successfully defended the subsequent appeal in the 11<sup>th</sup> Circuit Court of Appeals.
- Obtained dismissal of a mortgage fraud lawsuit brought in federal court and successfully defended the subsequent appeal in the 11<sup>th</sup> Circuit Court of Appeals.
- Successfully defended and assisted in negotiating a favorable settlement on behalf of a national banking association in a \$65 million lawsuit brought by an equity receiver.
- Obtained a complete dismissal of the Florida Department of Health's disciplinary action against a periodontist for alleged advertising violations.
- Obtained a complete dismissal of a liability claim against a general dentist for alleged standard of care violations.
- Negotiated numerous favorable settlements for medical practitioners in claims brought by both former patients and the Florida Department of Health.

- Successfully defended and assisted in negotiating numerous favorable settlements on behalf of national insurance companies in “insurance bad faith” lawsuits brought by former insureds.
- Provided numerous legal opinions to national insurance companies regarding how to avoid acting in bad faith in handling their respective claims.
- Obtained a complete denial and dismissal of all claims against a national banking association in an arbitration brought by a former customer whose account was allegedly debited in error.
- Obtained a complete denial and dismissal of all claims against a national banking association in an arbitration brought by a former customer involving counterfeit currency.
- Obtained summary judgment in favor of a national banking association in a residential foreclosure lawsuit.
- Successfully defended and negotiated settlements on behalf of national banking associations in numerous residential foreclosure lawsuits.

### **Before Fox Rothschild**

Prior to joining Fox Rothschild, Seth was an associate in the insurance practice of a large Florida-based law firm. While in law school, he served as a summer associate at a Florida law firm, focusing on commercial litigation and bankruptcy matters.

### **Bar Admissions**

- Florida

### **Court Admissions**

- U.S. District Court, Southern District of Florida
- U.S. District Court, Middle District of Florida
- U.S. District Court, Northern District of Florida
- U.S. Court of Appeals, Eleventh Circuit

### **Education**

- George Washington University Law School (J.D.)
- George Washington University (B.A., *magna cum laude*)

### **Memberships**

- The Florida Bar
- Palm Beach County Bar Association
- Defense Research Institute