

F. GREGORY BARNHART

CURRICULUM VITAE

PERSONAL:

Born Alpine, Texas
September 11, 1951

Married: Susan Gordon Barnhart

Children: Katherine Alexandra Barnhart
Caroline Elizabeth Barnhart
Forrest Stephanie Barnhart

236 Miraflores Drive
Palm Beach, FL 33480

EDUCATION:

J. D. Cornell University 1976

Moot Court Judge 1976
Moot Court Board 1975-1976
Board of Editors, Cornell International
Law Journal

A. B. Vassar College 1973

Graduated Cum Laude

EMPLOYMENT:

Partner, Searcy Denney Scarola Barnhart & Shipley, P.A.
1981 to date;

Associate, Montgomery, Searcy, & Denney, P.A.
1978 - 1981.

Associate, Levy, Plisco, Perry, Shapiro, Kneen & Kingcade
1976 - 1978.

Listed in **THE BEST LAWYERS IN AMERICA, Woodward – White** – All Editions to date

- Automobile collision
- Medical malpractice
- Product liability
- Plaintiffs

Selected as one of the “Top 100” **Florida Super Lawyers**, All Editions to date

MARTINDALE-HUBBELL RATING: AV

Listed in **Top Lawyers and Law Firms South Florida Guide**, All Editions to date

Selected as one of the Top Lawyers in Florida, **Florida Trend**, All editions to date

Selected as one of the Top Lawyers in Florida, **Florida Legal Elite**, All editions to date

Selected as one of “Florida’s 908 Top Lawyers”, **Florida Monthly**, All editions to date

Listed in **Guide Book to Law and Leading Attorneys**, Florida Edition

PROFESSIONAL ASSOCIATIONS:

Florida Justice Association f/k/a
Academy of Florida Trial Lawyers

Offices Held:

President 1993 - 1994

President Elect 1992 - 1993

Treasurer 1991 - 1992

Secretary 1990 – 1991

Board of Directors, Academy of Florida Trial Lawyers 1985-

1987 (first term)

Board of Directors, Academy of Florida Trial Lawyers 1987 - 1989 (second term)

Board of Directors, Academy of Florida Trial Lawyers 1989 - 1991 (third term)

Committees:

Seminar Steering Committee 1986 - 1987

Public Relations Committee 1986 - 1987

Chair, Speakers Bureau 1986 - 1987

Chair, Key Contact Committee 1986 - 1987

Chair, Nominating Committee 1987 - 1988

Budget Review Committee 1988 - 1989

Budget Review Committee 1989 - 1990

Chair, Continuing Legal

Education Committee 1989 - 1990

Executive Committee 1990 - 1995

Florida Lawyers Action Group

Chair, Board of Trustees, 1993-1994

Board of Trustees 1990 to date

Florida Justice Associate f/k/a Academy of Florida Trial Lawyers
Research and Education Foundation, Inc.

Board of Trustees 1990 to date

Federal Bar Association

President, Federal Bar Association 1986 - 1987

Vice President, Federal Bar Association - 1985-1986

Secretary, Federal Bar Association 1984 - 1985

Treasurer, Federal Bar Association 1983 - 1984

The Florida Bar

Civil Procedure Rules Committee 1986 - 1989

Continuing Legal Education Committee 1985 - 1986

American Bar Association

Palm Beach County Bar Association

Vice Chair, Federal Court Practice Committee 1981 - 1982

Vice Chair, Media-Law Committee 1981 - 1982

Vice Chair, Bench-Bar Committee 1980 - 1981

Chair, Public Relations Committee 1983 - 1984

Chair, Television Committee 1984 - 1985

Chair, Television Committee 1985 - 1986

Chair, Television Committee 1986 - 1987

American Association of Justice f/k/a Association of Trial Lawyers of America

Palm Beach County Justice Association f/k/a Palm Beach County Trial Lawyers Association

American Board of Trial Advocates

Craig S. Bernard American Inns of Court

Visiting Lecturer in Law, Stetson Law School, 1988 and 1996

JURISDICTIONS ADMITTED TO PRACTICE:

Florida 1976

United States District Court of the Southern District of Florida

United States District Court for the Northern District of Florida

Fifth Circuit Court of Appeals

Eleventh Circuit Court of Appeals

STATE APPOINTED POSITIONS:

Judicial Nominating Commission, 4th District Court of Appeal, 2007

Judicial Nominating Commission, 15th Judicial Circuit, 1986 - 1990

Author and Grader, Board Certification Exam, The Florida Bar, 1988

Supreme Court Committee on Alternative Dispute Resolution Rules and Policy – Voluntary Trial Resolution, 2006

Judicial Nominating Commission, 4th District Court of Appeal, 2009

SPECIALIZATION:

Board Certified Civil Trial Lawyer of Florida 1983 to date
Trial Practice - Personal Injury and Wrongful Death
Trial Practice General
Trial Bar of the Southern District of Florida

LECTURES AND PUBLICATIONS:

1. Taped for Million Dollar Verdict Cassette Series: The Masters Series
2. "Damages in Death Cases", Palm Beach County Bar Association Seminar, Lake Tahoe, CA. Feb. 1983
3. "Venue and Jurisdiction", Palm Beach County Bar Association Seminar, Aspen, CO. March, 1984.
4. "Personal Injury and Other Forms of Discovery" at Worker's Compensation - A Topical Survey Seminar, Miami, August 1985; Tampa, August 1985 - Video taped and presented at five other Statewide locations.
5. Seminar on "Accounting Malpractice" for East Coast Chapter of Florida Institute of Certified Public Accountants, West Palm Beach, Florida. January, 1986.
6. "Improper Closing Arguments", Palm Beach County Bar Association Seminar, Sun Valley, Idaho. March, 1986.

7. Moderator, "Paralegal Program", Academy of Florida Trial Lawyers' Spring Seminar. May, 1986.
8. "Proving New and Old Theories with the Help of Consumer Statutes", Academy of Florida Trial Lawyers Spring Seminar. May, 1986.
9. "View From The Plaintiff's Bar", Good Samaritan Hospital Risk Management Seminar. Given to 280 physicians of Palm Beach County Medical Society. November, 1986.
10. "How to Pass the Board Certification Exam." Medical Negligence and Products Liability Seminar. Tampa, Florida. January, 1987.
11. "The Plaintiff's Medical Malpractice Case." Florida Medical Malpractice Claims Council. Miami, Florida. February 6, 1987.
12. "Response to \$450,000. Cap: Are Any General Damages Really Non-Economic?" Palm Beach County Bar Association Personal Injury Seminar. February 17, 1987.
13. "Proving Damages in the Child Death Case", Academy of Florida Trial Lawyers, Spring Seminar. April, 1987.
14. "The Use of Video Tape in Proving Damages", State Convention of the Florida Legal Assistants (statewide group for paralegals). West Palm Beach. September, 1987.
15. "Proving Medical Malpractice Losses in Jury Trials", Lecture at Stetson Law School, St. Petersburg, Florida. January, 1988.
16. "Patient's Rights", Palm Beach County Fire Rescue and Ambulance Association. October, 1988.
17. "Medical Negligence from the Plaintiff's Prospective" Medical Update '88, Palms West Hospital, West Palm Beach. December, 1988.
18. "Probate Litigation: A Golden Opportunity for Plaintiffs' Trial Lawyers" Snowmass, Colorado. December, 1988.

19. "Medical Malpractice: A Plaintiff's View of Risk Management" Palm Beach County Physician's seminar. West Palm Beach. March, 1989.
20. "Key Elements in the Medical Malpractice Expert's Deposition - For the Plaintiff", Winning Depositions Make Winning Trials, Academy of Florida Trial Lawyers. May, 1989.
21. "Keeping the Verdict - Improper Closing Argument - How Far Can You Go?", Trial Skills for the 1990's, Academy of Florida Trial Lawyers Spring Seminar, Orlando, Florida. March 22-23, 1990.
22. "Closing Argument" - A Demonstration. Academy of Florida Trials Lawyers Convention. Miami, Florida October 24-26, 1990.
23. "Closing Argument in Wrongful Death Cases." "Maximizing Recovery in the Wrongful Death Case." Academy of Florida Trial Lawyers, Tampa and Ft. Lauderdale, January 30 and 31, 1992.
24. "Proof of Damages" Palm Beach County Bar Association Ninth Annual Personal Injury Seminar, West Palm Beach, March 29, 1992.
25. "Medical Malpractice Litigation Statutory and Case Law Update - Changes and Trends", Academy of Florida Trial Lawyers, Tampa, May 1, 1992.
26. "Depositions and Admissions: How to Get the Defense to Say What You Want to Hear." 1992 Star Track Seminar - Academy of Florida Trial Lawyers, July 16 and 17, 1992, Palm Beach.
27. "How to Combat and Defeat Defense Arguments (In Summation) During Plaintiff's Opening Statement and Presentation of the Case in Chief" - Academy of Florida Trial Lawyers, February 4 and 5, 1993, Orlando.
28. "Trying the Case under Fabre/Messmer FM: Tactics Practical Problems and Solutions. Academy of Florida Trial Lawyers, September 21, 1993, Orlando.
29. "1994 Legislative Overview and Recap" Academy of Florida Trial Lawyers, April 28 and 29, 1994 Miami/Orlando

30. "The Masters in Trial". The American Board of Trial Advocates" October 28, 1994, Jacksonville.
31. "Jury Selection in Medical Malpractice Cases" January 27 and 28, 1995. Academy of Florida Trial Lawyers. Workhorse Seminar. Orlando.
32. "Arguing Non-Economic Damages - The Art of Persuasion in Explaining Pain" May 12, 1995. Academy of Florida Trial Lawyers. 1995 Spring Advanced Trial Skills Seminar. Orlando.
33. "Strategies to Limit or Exclude Nonparties From the Verdict Form; How to Deal With Non-Parties, Phantom Vehicles and Immune Parties" August 11, 1995. Academy of Florida Trial Lawyers. 1995 Auto Negligence & Insurance Seminar. Miami.
34. "Arguing Non-Economic Damages - The Art of Persuasion in Explaining Pain" September 14, 1995 and September 15, 1995. Academy of Florida Trial Lawyers. 1995 Proof of Damages Seminar. Tampa/Ft. Lauderdale.
35. "The Effect of Fabre and Subsequent Case law on your Trial". 1995 Trial Masters. October 18, 1995.
36. "Evidence and Jury Instructions" March 7 and March 8, 1996. The Florida Bar. Torts for Family Lawyers Seminar. Tampa/Miami
37. "Persuasion". Broward County Trial Lawyers. June 1996.
38. "Planting & Harvesting Successful Openings and Closings". Spring Advanced Trial Skills Seminar. Academy of Florida Trial Lawyers. May 23 - 24, 1996.
39. "Closing Argument". Academy of Florida Trial Lawyers Convention. November 13 - 16, 1996.
40. "The Power of Persuasion". Lecture at Stetson Law School. November 1996.
41. "Dealing With Fabre - Strategies for Handling Fabre Issues Pre-Trial and at Trial" May 8, 1997. Spring Advanced Trial Skill Seminar.

Academy of Florida Trial Lawyers. May 8-9, 1997, Orlando. Florida.

42. "Creative Ways to Marshall Evidence in Your Courtroom Performance ". '97 Workhorse Seminar. February 19-22, 1997, Orlando, Florida. Academy of Florida Trial Lawyers.
43. "Direct and Cross Examination of an Orthopaedist" October 15, 1997. 1997 Annual Convention, October 15-18, 1997, Tampa.
44. "Screening and Identifying Medical Malpractice Cases" December 4 and 5, 1997, Tampa and Ft. Lauderdale. 1997 Medical Malpractice Seminar.
45. Speaker and Panel Member. Professionalism Seminar. Cornell Law School Alumni Association. Winter Meeting. December 5, 1997, Ft. Lauderdale.
46. "Preparing the Demand Package." 1998 Academy of Florida Trial Lawyers Annual Convention, June 28, 1998, Orlando.
47. "Closing Arguments that Win Auto Cases." Fall Advanced Trial Skills Seminar. Academy of Florida Trial Lawyers, November 19, 1998, Orlando.
48. "Damages for the Plaintiff" Hunters Run Advanced Litigation Seminar (Ohio Trial Lawyers and Judges) November 8, 1999, Boynton Beach.
49. "Strategies for Handling Comparative Fault Issues" Advanced Trial Skills Seminar. Academy of Florida Trial Lawyers, November 19, 1999, Orlando.
50. "How the Legal System Makes This a Safer Country." Safety Council of Palm Beach County. March 29, 2000, West Palm Beach.
51. "New Approaches and Some Old Standby's in Closing Argument." Fall Convention. Academy of Florida Trial Lawyers. October, 2000. Orlando, Florida.
52. "The Secret to Presenting a Persuasive Opening Statement."

Academy of Florida Trial Lawyers 2001 Annual Convention. June, 2001.

53. "How to Prepare and Present a Winning Closing Argument"
Academy of Florida Trial Lawyers 2001 Advanced Trial Skills/2001 Fall Convention, October 2001, Orlando.
54. "Effective Opening/Closing Themes" Palm Beach County Trial Lawyers Association – Strategies for Maximizing Your Award in a Soft Tissue Case Seminar, November, 2001, West Palm Beach.
55. Opinion Testimony: "How to Get It In and How to Keep it Out", Academy of Florida Trial Lawyers 2001 Evidence and Technology Seminar, November, 2001, Ft. Lauderdale, Florida.
56. "How to Bounce Back from Damaging Client's Impeachment – Key Components and Strategies of Re-direct Examination". Academy of Florida Trial Lawyers, 2002, Work Horse Seminar, February 20-22, 2002. Tampa, Florida.
57. "Jury Selection – Intervening Your Theme and Developing Rapport with the Venire". Academy of Florida Trial Lawyers, 2002 Jury Selection Seminar. April, 2002, Ft. Lauderdale, Florida.
58. "Maximizing Damages from Preparation through Presentation". 2002 Annual Convention General Session: Advanced Trial Skills Seminar. Academy of Florida Trial Lawyers. July, 2002, Orlando, Florida.
59. "Maximizing Damages from Beginning to End". 2003 Proving Damages Seminar. March, 2003. Ft. Lauderdale, Florida.
60. "Bad Faith Under the New Law". Medical Malpractice Legislative Update. Academy of Florida Trial Lawyers. October 10, 2003.
61. "Consumer Arbitration Agreements and The Arbitration Experience"
Academy of Florida Trial Lawyers. January, 2004

62. "Voir Dire". 2004 Medical Malpractice Seminar. Academy of Florida Trial Lawyers. Fort Lauderdale, Florida. May, 2004.
63. "Voir Dire in the Era of Tort Reform". Association of Trial Lawyers of America Annual Convention. Boston. July, 2004.
64. "Voir Dire in the Vehicular Crash Case." Academy of Florida Trial Lawyers 2005 Voir Dire: Brain Storming with the Masters Seminar, April 7-8, 2005. Orlando.
65. "Experts: Selection, Direct Examination and Cross Examination." Legal Aid Society of Palm Beach County, November 30, 2005. West Palm Beach.
66. "Trial Skills: Opening, Closing and Trial Motions" Florida Bar Board Certification Review Seminar for Civil Trial, February 6-7, 2006. Tampa.
67. "Persuasive Points, Positions and Arguments to Debunk and Combat the Defense Arguments on Non-Economic Damages in the Plaintiff Attorney's Rebuttal Summation." Academy of Florida Trial Lawyers 2006 Annual Workhorse Seminar, February 8-10, 2006. Orlando.
68. "Themes for Opening Statement and Closing Argument in the Medical Malpractice Case" Academy of Florida Trial Lawyers Medical Malpractice Seminar, April 21, 2006. Orlando.
69. "Bringing the Weight of the Plaintiff's Case to Mediation" Academy of Florida Trial Lawyers Mediation Techniques & Strategies Seminar, December 7, 2006. Orlando.
70. "Trial Skills: Opening, Closing and Trial Motions" Florida Bar Civil Trial Certification Review Course Seminar, February 12, 2007. Tampa
71. "Five Successes and Five Misses." Florida Justice Associations Mid-year Convention. Orlando, Florida. November, 2007.
72. "Proving Punitive Damages Against A Railroad." American Association for Justice. Philadelphia, Pennsylvania. July, 2008.

72. "Trial Skills: Use of Experts, Frye Motions and Trial Motions" Florida Bar Civil Trial Certification Review Course Seminar, February 10, 2009. Tampa
73. "The Art of the Cross Examination of the Defense Expert" FJA Medical Malpractice Seminar, November 13, 2009. Palm Beach
74. "Lessons Learned at Trial" FJA and Palm Beach County Trial Lawyers Associate Seminar, May 19, 2010. Palm Beach
75. "Trial Skills: Opening and Closing" Florida Bar Civil Trial Certification Review Course Seminar. January, 2011. Orlando
76. "Prior Incidents: Notice and Negligence – The Key to Products Cases" Florida Justice Association 2011 Annual Convention, June 15, 2011. Palm Beach
77. "Direct Examination of an Expert Witness" Florida Justice Association Al Cone Seminar, August 26, 2011. Tampa
78. "Advocacy in the State Legislature" Florida Justice Association, January 10, 2012. Ft. Lauderdale

BOOKS:

Author of chapter entitled "Direct Examination" in Trial Advocacy, Academy Press 1991.

CIVIC:

Moderator and Host, "Call the Lawyer" television show 1984, WPTV, NBC, West Palm Beach, FL

Board of Trustees, WXEL Stereo 91, National Public Radio 1983 to 1994

Board of Trustees, WXEL TV 42, Public Broadcasting System 1983 to 1994

Palm Beach County Constitutional Bi-Centennial Commission 1987

Board of Trustees, Ballet Florida, 1988

Board of Directors, Cities in Schools, 1989 to 1993

Board of Directors, Legal Aid Society of Palm Beach County, 1997 to date

Board of Directors, 1000 Friends of Florida, 1997 to date

Secretary, 1000 Friends of Florida, 2005 to date

Board of Directors, West Palm Beach Chamber of Commerce, 1999 - 2003.

AWARDS AND HONORS:

Palm Beach Atlantic College Business Leadership Award 1984

Listed in Who's Who in American Law 4th Edition (1985 to date).

Listed in Who's Who in American Law 4th Edition (1987 to date).

Listed in Who's Who of Emerging American Leaders (1987 to date).

Distinguished Lecturer in Jurisprudence, Presented by the Academy of Florida Trial Lawyers. 1988.

Leadership Award, Academy of Florida Trial Lawyers, 1988.

Silver Eagle Award, Academy of Florida Trial Lawyers, 1989.

Leadership Award Presented by the President of the Academy of Florida Trial Lawyers, 1991.

Award of Excellence for Work Above and Beyond the Call of Duty, October 1991

E.A.G.L.E. Hall of Fame, 1991

South Florida Legal Guide, 2008. Top Lawyers.

Lawyer of the Year 2010, American Trial Lawyers Association

PROFESSIONAL ACHIEVEMENTS:

Since Mr. Barnhart joined the firm, he has achieved numerous multi-million dollar jury trial verdicts and settlements. Some of the cases include:

1. Grebe v. Rutland Ranch
\$1,500,000 May, 1982

2. Rouvari v. Faith Farm, Inc.
\$3,900,000 November, 1983

3. Tito v. Potashnick
\$2,300,000 November, 1983

4. Madsen v. Mobile Aerial Towers
\$1,500,000 April, 1984

5. Nightingale v. Derrick
\$10,500,000 May, 1984

6. Frecoe v. Town of Palm Beach
\$1,000,000 December, 1984

7. Hachmeister v. Indian River Memorial Hospital
\$6,500,000 April, 1985

8. Hammond v. First National Bank of Palm Beach
\$4,500,000 July, 1987

9. Grimm v. Atlantic Sugar
\$1,500,000 January, 1988

10. Breit v. Solomon & Sons
\$1,150,000 April, 1988

11. Long v. William Theis & Son
\$1,200,000 September, 1988

12. Lawrence v. Hospital Corp. of America
\$3,250,000 February, 1989

13. First American Bank v. Baskin & Sears
\$1,200,000 April, 1989

14. Roberts v. Migicovsky
\$1,200,000 June, 1989
15. Carver v. Martin Memorial Hospital
\$1,770,000 September, 1989
16. Lynch v. Rainbow Raiders
\$2,525,000 March, 1990
17. Long v. Flagler Hospital
\$6,100,000 May 1990
18. DeBerry v. Doctor's Clinic, et al.
\$12,500,000 August 1990
19. Mariner Corp. v. Arthur Young & Company
\$2,600,000 March, 1991
20. Heisler v. Good Samaritan Hospital
\$1,500,000 July, 1991
21. Schumm v. R. J. Gator's
\$1,004,000 August, 1992
22. Bernard v. Confidential Hospital
\$5,500,000 September, 1993
23. Eastern Cement Corp. v. Halliburton, Inc.
\$4,100,000 October, 1993
24. Doe v. State Farm
\$1,390,000 September, 1994
25. Giard v. Orion Insurance Company
\$1,914,903.60 October, 1994
26. DeBerry v. Doctor's Clinic, et al
\$7,750,000.00 May, 1995
27. Flanagan v. St. Mary's Hospital, et al.

- \$3,085,000.00 June, 1995
28. Palank v. CSX Railroad
\$6,140,000.00 June, 1995
29. Walters v. Cape Canaveral Hospital, et al.
\$1,375,000.00 April, 1996
30. Sanford v. Rawlings
\$1,110,000 June, 1996
31. Riggle v. Indian River Memorial Hospital
\$1,475,000 September, 1996
32. Belote v. University Community Hospital, et al.
\$5,500,000.00 July, 1997
33. Palank v. CSX Transportation
\$50,000,000.00 July, 1997
34. Estate of Summers v. ValueJet
\$1,750,000.00 December, 1997
35. Marxer v. Intracoastal Health Systems
\$1,450,000.00 May, 1998
36. Hislop v. Sonn, et al.
\$2,975,000.00 July, 1998
37. Fitzsimmons v. Matheson, et al.
\$3,500,000.00 September, 1998
38. Doe v. Mutual Insurance, et al.
\$5,820,000.00 March, 1999
39. Budde v. Poser, et al.
\$3,500,000.00 June, 1999
40. Doe v. Memorial Hospital, et al.
\$5,400,000.00 August, 1999

41. Rojo v. Fireman's Fund
\$1,250,000. January, 2000
42. Insler v. Carratelli, et al.
\$1,616,700.00 January, 2000
43. Dean v. Estate of Dean
\$5,314,825.00 February, 2000
44. Wrock-Ryland v. Medical Corporation
3,000,000.00 September, 2000
45. Redgate v. Barnes
\$1,550,000.00 October, 2000
46. Doe v. Tire Manufacturer
\$1,550,000.00 October, 2001
47. Ridge vs. Maunus, et al.
\$1,065,000.00 November, 2001
48. Kantor vs. Tire Manufacturer
\$2,000,000.00 February, 2002
49. Fadley vs. Thunder Cross Motorsports
\$1,100,000.00 August, 2002
50. Doe vs. Regional Medical Center
\$18,250,000.00 September, 2002
51. Butler vs. Intracoastal Hospital, et al.
\$6,749,999.00 October, 2002
52. Estate of Wiliamson v. Unknown Aircraft
\$1,750,000.00, September, 2004
53. Wager vs. Confidential Hospital
\$7,500,000.00 Dec., 2004/Feb., 2005

54. Tomasi v. Naples Community Hospital
\$1,400,000.00 April, 2005
55. Confidential Railroad Cases
\$19,000,000.00 April, 2005
56. Lieberman vs. Hahnemann University Hospital
\$2,900,000.00 June, 2006
57. Gonzales vs. Medical Corporation
\$2,200,000.00 December, 2006
58. Christner vs. Woods Restoration Service
\$2,100,000.00 March, 2007
59. Hall v. FPL
\$2,000,000.00 August, 2007
60. Crane v. Nugent, et al.
\$3,950,000.00 October, 2007
61. Gonzalez v. Memorial Hospital
\$7,000,000.00 November, 2007
62. D'Andrea v. Jetson
\$1,200,000.00 January, 2008
63. Wade v. Estate of Poteat, et al.
\$3,845,000.00 March, 2008
64. Jones v. Tire Company
\$1,200,000.00 June, 2008
65. Van Dyke v. Singh, et al.
\$3,000,000.00 September, 2008
66. Confidential Carbon Monoxide
\$16,800,000.00 November, 2008
67. Pena v. Braun, et al.

- \$13,490,000.00 April, 2009
68. Campbell v. Community Hospital
\$5,400,000.00 October, 2009
69. Landino v. Ford Motor Corporation
\$5,075,000.00 March, 2010
70. Piendle v. RJ Reynolds, et al
\$2,470,000.00 August, 2010
71. McCall v. Williamson, et al.
\$1,195,000.00 April, 2011
72. Matthew v. Commercial Metals
\$7,000,000.00 December, 2011