



## Linda G. Bond

Partner

### Tallahassee Office

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Linda Bond devotes her litigation practice to the representation of employers in the private and public sectors in matters involving employment and labor issues. As a county and circuit mediator certified by the Florida Supreme Court, she also assists parties in resolving their disputes through use of the mediation process.

As a former corporate director of human resources, Linda brings to her legal practice the pragmatic and real world experiences arising from the employer-employee relationship. Practicing in the area of labor and employment law for the past ten years, she represents public and private employers in the diverse issues attendant to employment. Linda consults with and advises clients on employment matters including hiring, retention and termination practices. Consultation, training and education on issues such as discrimination and harassment is part of her practice. Linda routinely develops, prepares and participates in training and educational seminars for clients and others in the public and private sectors. Linda also represents clients in collective bargaining and has served as the chief negotiator for clients during the collective bargaining process. She conducts workplace investigations into harassment and discrimination, audits clients' employment practices and provides proactive advice that helps employers avoid and or limit liability. Linda also prepares affirmative action plans for clients.

An AV rated attorney by Martindale-Hubbell, Linda also litigates claims arising from the employment relationship. She has represented public and private employers in judicial and administrative proceedings including those before the EEOC and the Florida Commission on Human Relations. Linda has defended clients in cases asserting claims under Title VII of the Civil Rights Act of 1964 and Chapter 760, Florida Statutes including those based on religion, national origin, race and gender. She has experience defending against claims brought under the Fair Labor Standards Act, the

### Practice Areas

Mediation Panel Practice Group  
Employment and Labor

### Selected Industries

Healthcare  
Government  
Hospitality and Leisure

### News

Attorney Linda Bond Featured Speaker for Big Bend SHRM on Lilly Ledbetter Act  
RKC Partner's Op-Ed on Wage and Hour Posted in Tallahassee Democrat  
Osceola County Sheriff's Office Cleared of Liability in Racial Discrimination Case  
Partner Linda Bond Receives FSU College of Law Service Award  
Tallahassee Democrat Features Op-Ed by Partner Linda Bond  
Bond, Dietzen Speak At HR Professional Excellence Day

### Publications

The Employer Reference Problem: How Much, if Anything, to Disclose?  
Stemming the Wage and Hour Lawsuit Trend: All Employers are Targets

### Notable Cases

American with Disabilities Act, and the Family and Medical Leave Act of 1993 as well as allegations of age discrimination brought under the Age Discrimination in Employment Act of 1967.

Linda is a certified County and Circuit Court mediator in Florida. In this part of her practice, she assists parties in their attempts to reach mutually acceptable resolutions to their disputes. She has mediated matters involving personal injury claims as well as those involving warranty and other consumer related issues. She does not mediate family law matters.

She is admitted to practice in all of Florida's state courts as well as the United States District Courts for the Northern, Middle and Southern Districts of Florida. She is also admitted to practice before the United States Circuit Court of Appeals for the Eleventh Circuit. During her legal career she has represented both plaintiffs and defendants in litigated matters throughout Florida's state and federal courts.

Linda brings to her practice over ten years of private sector experience in the human resources arena. She is a former Director of Human Resource Development for GTE Corporation who brings her first hand knowledge of the employer's perspective to her legal consulting and litigation practice. Outside of the courtroom, she is a frequent speaker and trainer on issues concerning the employer/employee relationship including those on the topics of sexual harassment, the American with Disabilities Act, the Family Medical Leave Act as well as hiring, retention and termination practices.

## Education

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Florida State University, College of Law - J.D., 1995  
University of Tennessee - B.S., Business Administration, 1979

## Honors

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- National Semi-Finalist, Health Law Competition, Southern Illinois University (1994)
- Best Oralist (Fall Competition) (1993)

## Bar Admissions

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- Florida (1995)

## Court Admissions

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Hines v. J-Curt

### Jurisdictions

Florida

### Ratings and Certifications

AV Rated by Martindale-Hubbell

- U.S. Court of Appeals, 11th Circuit
- U.S. District Courts of Florida (Northern, Middle, Southern)

## Professional & Civic Activities

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- Appellate Moot Court Team, Member
- The Florida Bar
- Florida State University College of Law Alumnae Association, Board of Directors
- Florida Association of Police Attorneys
- Society of Human Resources Management (SHRM), Member
- Big Bend Society of Human Resources Management, Member
- Tallahassee Habitat for Humanity, Past Member and President of Board of Directors
- Tallahassee Alumnae Chapter, Delta Sigma Theta Sorority
- Various Ministries, Bethel Missionary Baptist Church, Member

## Articles & Presentations

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- Sexual Harassment Training for various governmental groups including Sheriffs, City Employees, and Fire Departments, Trainer
- Surviving a Wage and Hour Audit, to senior management at Florida State Board of Administration, Speaker
- School of Business and Industry at Florida A&M University, Lecturer
- College of Business at Florida State University, Lecturer
- developed and delivered sexual harassment training state-wide for the Florida Department of Education, Trainer
- Society of Human Resources Certification Exam Preparation Course sponsored by Tallahassee Community College, Instructor



## Robert L. Blank Partner

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Rob Blank practices in the areas of product liability, casualty defense, employment, professional liability and commercial litigation. In his product liability practice, Rob represents the manufacturers of passenger cars and trucks, motorcycles, tires, industrial equipment and hand-held power tools. The representation of clients against general tort claims comprises another segment of Rob's practice. Rob defends retail clients against premises liability claims including personal injury, false arrest, and false imprisonment. He also represents clients in the theme park/entertainment, trucking and rental car industries.

Other aspects of Rob's practice include commercial litigation and defending pest control industry clients against claims of property damage and personal injury. Defending employers against claims of discrimination, including those based on gender, ethnicity and disability under the ADA is another facet of his practice. Rob also defends professionals against claims of negligence and malpractice. His clients include those in the medical, nursing and legal professions.

### Education

Stetson University, College of Law - J.D., *Magna Cum Laude*, 1992

- Member, ABA Trial Team (winner, National Invitational Trial Competition "Tournament of Champions," Southeast Regional Champion for the ABA National Trial Competition).
- Notes Editor, *Stetson Law Review*

University of South Florida - B.A., Business Management

### Practice Areas

Casualty Defense  
Product Liability  
Commercial Litigation  
Employment and Labor  
Professional Liability

### Selected Industries

Healthcare  
Transportation  
Manufacturing  
Hospitality and Leisure  
Automotive  
Pesticides and Pest Control

### News

Rumberger Kirk & Caldwell Obtains Summary Judgment in Busch Gardens Case  
Rumberger Kirk & Caldwell Wins Defense Verdict for Delta International Machinery  
Fifteen Rumberger Attorneys Named Florida Super Lawyers: Seven Named as Rising Stars  
RKC Attorneys Win Defense Verdict for Toyota in Crashworthiness Case  
Eleven Rumberger, Kirk & Caldwell Attorneys Named Florida Super

## Honors

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- Listed in Florida Super Lawyers 2007, 2008, 2009

## Bar Admissions

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- Florida (1992)

## Court Admissions

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- U.S. Court of Appeals, 11th Circuit
- U.S. District Courts of Florida (Northern, Middle, Southern)

## Professional & Civic Activities

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- The Florida Bar, Trial Lawyers Section, Member
- The Florida Bar, Small Claims Rule Committee (1996-1997)
- Hillsborough County Bar Association, Trial Lawyers Section, Member
- American Bar Association, Tort and Insurance Practice Section, Member
- Defense Research Institute
- Florida Defense Lawyers Association
- American Asthma and Allergy Foundation, Florida Chapter, Board of Directors

## Articles & Presentations

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- "Providing Attorney's Fees in a Pest Control Contract – Who Benefits?," Pest Control, Author
- "The Expanding Safety Responsibilities of Crane Operators," Greater Florida Constructor Magazine, Author
- "Pulling the Nails out of the Avallone Coffin Should Excess Liability Coverage on a Self Insurance Fund Constitute a Waiver of Sovereign Immunity?," 20 Stetson Law Review 971, Author

### Lawyers

Blank Wins Howl-O-Scream Trial for Busch Gardens

Twelve Rumberger Attorneys Named Florida Super Lawyers

Blank Wins Busch Gardens Trial

### Notable Cases

Larue Richter, M.D. v. Home Depot U.S.A., Inc. and Delta International Machinery Corporation

Moncrieff v. Toyota Motor Corporation, et. al.,

Goss v. Busch Entertainment Corporation

Strait v. Busch Entertainment Corporation

Frank Nussbaum v. Reebok International, Ltd. and the Sports Authority, Inc.

Littell v. General Motors

Alaimo v. Home Depot USA, Inc. National Healthcorp Ltd.

Partnership v. Judith Anne Close National Healthcorp Ltd.

Partnership v. Cascio

### Jurisdictions

Florida

### Ratings and Certifications

AV Rated by Martindale-Hubbell



## Jacey Kaps Partner

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Jacey Kaps, an active trial attorney, focuses his practice on the representation of the domestic retail, restaurant and lodging sectors. His retail clients operate online, via catalogs and through brick and mortar stores. Clients he represents include big box department stores, the construction industry, food wholesalers and the manufacturing sector.

His work as national and regional coordinating counsel for retailers has provided him with a broad based experience in handling the issues that confront the retail sector. He has significant experience in complex litigation matters, and defends many catastrophic injury and wrongful death cases. He also acts as a consultant to the retail sector in managing litigation.

Jacey and the team of RKC attorneys provide ongoing counsel and representation in areas critical to the retail sector such as:

- Commercial agreements
- Construction
- Consumer warranties
- Food borne illnesses
- Gift certificates and prepaid cards
- Intellectual property protection
- Labor and employment
- Litigation management
- Premises liability
- Privacy and data protection
- Product liability
- State and federal laws
- Toxic torts and pesticides

### Practice Areas

Casualty Defense  
Mediation Panel Practice Group  
Product Liability  
Commercial Litigation  
Construction  
Chemicals, Asbestos and Toxic  
Torts

### Selected Industries

Hospitality and Leisure  
Manufacturing  
Construction  
Insurance

### News

Rumberger Kirk & Caldwell Partner featured speaker for Medicare Secondary Payer Act Webinar  
Medicare Secondary Payer Act (MSP): What Is It? and What Impact Will It Have?  
Rumberger, Kirk & Caldwell Partner Jacey Kaps Wins Trial For Kmart Corporation

### Clients

Cox Enterprises, Inc.  
Liberty Mutual Insurance Company  
Publix Super Markets  
Sears, Roebuck and Co.  
Kmart Corporation  
Crawford & Company  
Colony Insurance Company

- Wage and hour matters

Recent engagements include:

- National Coordinating counsel for a major big box retailer.
- Regional counsel for a big box retailer.
- Florida counsel for several big box retail chains.

Jacey also works with clients with issues involving the Medicare Secondary Payer Act. He advises clients on issues related to their general liability compliance programs and defense of non-compliance cases.

His construction experience includes representing developers, general contractors, subcontractors and roofing manufactures in litigation ranging from hurricane work, contractual disputes, design-build issues, window loss, and structural damage claims. Jacey also works actively in the area of alternative dispute resolution functioning as a mediator, advocate in arbitration or arbitrator.

He is Chairman of the Chairman's Circle of the Florida Retail Foundation and an allied member of the Florida Restaurant and Lodging Association. He is also a member of The Florida Defense Lawyer's Association and The American Bar Association.

## Education

Nova Southeastern University - J.D., 1995

McGill University - B.A., History, *with first class honors*, 1991

## Honors

- Awarded, Goodwin Research Fellowship; Public Service Fellowship
- Order of Barristers: Twice commended by the Florida Supreme Court for service to the Guardian Ad Litem Program

## Bar Admissions

- Florida (1995)

## Court Admissions

Sedgwick CMS

Manheim Auctions

## Jurisdictions

Florida

## Languages

French

## Ratings and Certifications

AV Rated by Martindale-Hubbell

- U.S. Court of Appeals, 11th Circuit
- U.S. District Courts of Florida (Northern, Middle, Southern)

## Professional & Civic Activities

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- National Order of Barristers
- The Florida Bar
- American Bar Association
- Florida Retail Federation, Chairman's Circle
- Florida Restaurant and Lodging Association, Allied Member
- Risk and Insurance Management Society (RIMS), Associate Member
- DRI Strictly Retail Steering Committee

## Articles & Presentations

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- Reform of Florida's Assisted Living Facilities Act," Assisted Living Success Magazine,, Co-author
- "Mold Contamination and Water Intrusion Claims" , Lecturer
- "Employee Free Choice Act" ; Speaker, 2008 Florida Retail Federation Annual Meeting
- "Medicare Secondary Payer Act (MSP): What is It? and What Impact Will it Have?" , Co-author



## J. Scott Kirk

Partner

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Scott Kirk represents clients in the areas of commercial trucking litigation, casualty defense, product liability, employment and admiralty. Defending clients in hotly contested litigation in Florida's state and federal courts, Scott has been recognized by his peers and the community for his advocacy skills. In 2004, *Florida Monthly* magazine recognized him as one of "Florida's Top Lawyers," a distinction bestowed upon him by his peers. In April 2005, *Orlando Magazine* recognized Scott as one of Orlando's Best Lawyers. In 2003, the magazine identified him as a "Legal Eagle" in the area of personal injury litigation, following his 2001 recognition in the magazine as one of "Orlando's 55 Best Attorneys." His peers have selected Scott every year for the past ten years for inclusion in Woodward/White's, *The Best Lawyers in America* in the field of personal injury litigation.

Scott defends nationally known trucking companies in cases involving significant and catastrophic injuries as well as wrongful death claims. Representing an industry subject to regulation at state and federal levels, Scott's practice includes consulting with his trucking industry clients on evidence preservation and compliance matters that may impact the investigation of accidents and the defense of future litigation. Familiar with the regulations governing the industry, Scott defends trucking clients in cases involving issues including weight, lighting, driver qualifications and performance, and vehicle maintenance and repair. He has litigated cases involving issues related to the electronic control module. He has defended claims arising from a variety of trucking accidents including rollovers, vehicle/ pedestrian, and multiple vehicle collisions.

In his casualty defense practice, Scott represents clients in a variety of matters including premises liability, motor vehicle accidents and product defect claims. Scott represents public entities, individuals and businesses in this facet of his practice. He has defended premises liability claims involving public housing, retail establishments, hotels, restaurants and bars

### Practice Areas

Casualty Defense  
Employment and Labor  
Product Liability

### Selected Industries

Manufacturing  
Government  
Hospitality and Leisure  
Transportation  
Boating, Marine, and Personal Watercraft

### News

Twelve Rumberger Attorneys  
Named Florida Super Lawyers

### Publications

Tractor-Trailer ECM Data Plays  
Part in Spoliation of Evidence

### Notable Cases

Wozniak v. Florida Power Corp. v.  
American Television &  
Communications Corp. (Orange  
County)  
Seymour v. Brunswick  
Redinger v. Alvey Systems  
(Orange County)

### Jurisdictions

Florida

### Ratings and Certifications

as well as private homes. His defense of claims arising from motor vehicle accidents includes collisions involving passenger cars and trucks, commercial vehicles, and motorcycles. In the product defect aspect of his casualty defense practice, Scott has defended a variety of products including ladders, stools, chairs, lawnmowers, farm implements, cranes and erection equipment, water heaters, conveyor systems and elevators/escalators.

Defending manufacturers against product liability claims is part of Scott's practice. He defends manufacturers in the marine industry against claims of personal injury and wrongful death arising from boating accidents. Scott has handled cases including those involving issues of vessel and engine design and performance, operator performance, and prop guard claims. In conjunction with this facet of his practice, Scott also represents clients in admiralty matters involving the Jones Act.

Scott's practice includes the defense of public entity clients in employment matters. He represents clients at administrative proceedings of the EEOC and the Florida Commission on Human Rights and in judicial proceedings in state and federal court. Scott has defended against discrimination claims including those based on age, gender, race/ethnicity and disability.

In addition to his trial practice, Scott serves as an arbitrator in the United States District Court for the Middle District of Florida. He frequently speaks to clients and at seminars on topics related to claims investigation and defense.

## Education

Stetson University, College of Law - J.D., 1976

Stetson University - B.A., History, 1973

## Honors

- Recipient, Freshman Moot Court Award
- Listed in Florida Super Lawyers (2007)

## Bar Admissions

- Florida (1976)

AV Rated by Martindale-Hubbell

## Court Admissions

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- U.S. Supreme Court
- U.S. Court of Appeals, 11th Circuit
- U.S. District Courts of Florida (Northern, Middle, Southern)

## Professional & Civic Activities

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- Judiciary Council, President
- The Florida Bar
- Orange County Bar Association
- American Board of Trial Attorneys
- Florida Defense Lawyers Association
- Defense Research Institute
- American Boat and Yacht Counsel

## Articles & Presentations

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- Florida Housing Authorities Risk Management Insureds in Ocala, Speaker
- Florida Housing Authorities Risk Management Insureds , Speaker
- National Association of Women Business Owners, Speaker
- Eighth Annual Florida Liability Claims Conference, Speaker
- USHARP Pool Conference , Speaker
- Ninth Annual Florida Liability Claims Conference, Speaker
- Jacksonville Association of Defense Counsel, Speaker



## Darren A. Schwartz

Partner

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Darren Schwartz represents clients in employment and civil rights matters. Additionally he handles administrative proceedings, casualty defense, commercial litigation, professional liability defense, and appeals. As part of his employment practice, Darren consults with employers in the public and private sectors on compliance with state and federal law as well as hiring and termination decisions. He consults on non-compete agreements and when necessary has litigated them. In the litigation portion of his employment practice, he defends employers against various claims of discrimination including harassment, retaliation, failure to promote, wrongful termination, whistle-blower and wage disparity.

Darren defends clients in cases involving claims of discrimination based on gender, race, national origin and religion under Title VII of the Civil Rights Act of 1964 and Chapter 760, Florida Statutes. He also defends against claims of age discrimination under the Age Discrimination in Employment Act of 1967 as well as claims under the American with Disabilities Act and the Family and Medical Leave Act of 1993. Included in his practice is the defense of cases involving allegations of defamation, battery, intentional infliction of emotional distress, tortious interference, and negligent supervision, retention and training. He handles cases involving various other common law and statutory causes of action arising out of the employment relationship. Darren routinely represents clients before the EEOC and the Florida Commission on Human Relations.

Representing individuals, businesses and public entities and institutions in civil rights cases is also a significant part of Darren's practice. He has defended clients against a variety of constitutional claims including those alleging violations of freedom of speech, election law violations, unlawful search and seizure, false arrest, malicious prosecution, excessive force, equal protection, due process, and cruel and unusual punishment. Defense of ADA accessibility claims is included in his practice.

### Practice Areas

- Appellate
- Commercial Litigation
- Employment and Labor
- Professional Liability
- Casualty Defense
- Governmental and Administrative

### Selected Industries

- Hospitality and Leisure
- Insurance
- Banking, Mortgage, and Financial Services

### Jurisdictions

- Florida

Darren's administrative law practice includes the representation of clients in proceedings before the Florida Division of Administrative Hearings. During his career, he has represented clients in matters including employment, licensure and rule challenges.

The representation of clients in casualty defense, commercial litigation, professional liability, and appellate matters is part of Darren's practice. He has defended clients in premises liability claims involving retail establishments, hotels, bars, restaurants, apartment complexes and shopping centers. He has also handled motor vehicle claims. Darren has represented clients in a variety of commercial litigation matters including collections on behalf of lenders, commercial foreclosures, homeowner's association and real estate disputes as well cases involving claims of breach of fiduciary duty, fraud, and tortious interference. Darren has also litigated covenants not to compete, class action matters, claims of conspiracy and cases in which the economic loss rule is implicated. In the appellate portion of his practice, Darren has handled numerous matters during his career. Darren has represented lawyers, accountants, and insurance agents and agencies in professional liability matters.

Outside of the litigation arena, Darren is a regular speaker on topics related to employment and civil rights matters. In 2001, he was a member of the Committee of Harassment Policies in Leon County, Florida.

## Education

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Samford University, Cumberland School of Law - J.D., 1990  
Florida State University - B.S., Political Science, 1987

## Bar Admissions

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- Florida (1990)

## Court Admissions

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- U.S. Supreme Court
- U.S. Court of Appeals, 11th Circuit
- U.S. Court of Federal Claims
- U.S. District Courts of Florida (Northern, Middle, Southern)

## Professional & Civic Activities

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- American Journal of Trial Advocacy, Member
- Cumberland Board of Trial Advocacy
- The Florida Bar, Labor and Employment Law Section

## Articles & Presentations

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- Gallagher v. Manatee County: The Sovereign Immunity Cap for FCRA Claims Includes Attorneys' Fees and Costs," Vol. 80, Florida Bar Journal No. 5 , Author
- "SLAPP Suits: An Assault on the Right to Petition the Government," 66 Florida Bar Journal No. 3 , Co-author



## James F. Walsh Partner

Birmingham Office

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Jimmy Walsh primarily focuses his litigation practice in the areas of commercial litigation, consumer practices with an emphasis on breach of warranty and Lemon Law claims and product liability defense. His practice also includes representing clients in matters involving medical and mental health issues, claims filed under the Federal Torts Claim Act, criminal defense and military law matters.

In his commercial litigation practice, Jimmy represents small and large businesses including those in the banking and financial sector in a variety of disputes. He has experience litigating cases involving allegations of breach of contract, fraud, breach of fiduciary duty, constructive trust and violations of state and federal statutes including the Uniform Commercial Code.

Defending manufacturers and dealers of automotive vehicles against claims by consumers is another facet of his practice. He regularly represents clients in cases involving the Magnuson-Moss Warranty Act, Alabama's Lemon Law and common law breach of warranty and fraud claims.

Representation of manufacturers and distributors in product liability lawsuits is another part of Jimmy's practice. Over the years he has represented a variety of clients including those who manufacture and distribute industrial products and heavy equipment, including presses, saws, drills, skidders and front-end loaders. He has also represented clients in the equipment and manufacturing industries, as well as railroad industry.

Jimmy also represents private and public medical facilities and healthcare providers in cases alleging malpractice. He also represents clients in matters involving mental health issues, in both the civil and criminal courts.

### Practice Areas

- Product Liability
- Professional Liability
- Commercial Litigation
- Governmental and Administrative

### Selected Industries

- Manufacturing
- Government
- Automotive
- Banking, Mortgage, and Financial Services

### News

- Rumberger, Kirk & Caldwell  
Partner Jimmy Walsh Wins Case  
For Conex International

### Jurisdictions

- Alabama

Jimmy has also represented parties in other professional liability actions.

A West Point graduate and retired U.S. Army Lieutenant Colonel, Jimmy uses his military experience to assist clients in matters involving military law. This includes consulting with clients on issues related to military procedure as well as representing them in litigated matters when required. Representing clients in matters involving the Federal Tort Claims Act is also part of his practice.

Outside of his litigation practice, Jimmy is an active member of the Birmingham community. He is a member of the State Executive Board of the National Alliance for the Mentally Ill and serves on the Birmingham Board of the American Diabetes Association. An active participant in scouting for the past 25 years, he has served in various positions over the years including that of Scout-Master for the past 12 years. Within the legal community, he has served on the Grievance Committee of the Birmingham Bar Association as well as its Fee Arbitration Committee. At the state level, he is a past state chairman of the Military Law Section of the Alabama Bar Association.

Jimmy earned his Juris Doctorate, *cum laude*, from the Cumberland School of Law, Samford University, in 1976. He is a graduate of the United States Military Academy, West Point from which he received a Bachelor of Science Degree in 1968.

## Education

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Samford University, Cumberland School of Law - J.D., *cum laude*, 1976  
United States Military Academy, West Point - B.S., 1968

## Bar Admissions

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- Alabama (1976)

## Court Admissions

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- U.S. Supreme Court
- U.S. Court of Federal Claims
- U.S. Court of Appeals, 11th Circuit
- U.S. District Courts of Alabama (Northern, Middle, Southern)
- Court of Military Appeals

## Professional & Civic Activities

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- American Bar Association
- Alabama Bar Association, Military Law Section, Former State Chairman
- Birmingham Bar Association, Grievance Committee, Former member
- Birmingham Bar Association, Fee Arbitration Committee, Former member
- Alabama Defense Lawyers Association
- Defense Research Institute
- ATLA
- National Alliance for the Mentally Ill, Alabama State Executive Board
- Leadership Council Birmingham Branch, American Diabetes Association
- Scoutmaster Troop 1