

Craig S. Hudson

Director Emeritus, Professional Liability Department

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Craig is the Director Emeritus of the Professional Liability Department. He is also a former member of the firm's three-person Executive Committee, the governing body of our law firm that serves to advance and implement our strategic goals. In his current role, Craig continues to assist with the strategic direction of the department and oversight of over 140 attorneys who focus on defending clients in professional liability claims and suits throughout the firm's 22 distinct areas of professional liability practice.

Craig joined Marshall Dennehey's Philadelphia office in 1993 and has been involved in the firm's management, both in Philadelphia and in Florida, since 1995. Over the years, he has served as the manager of the law clerk program, vice chair and chair of hiring, and as manager of the Philadelphia Professional Liability Group. In 2006, Craig relocated to Florida to manage the firm's Fort Lauderdale office, and more recently, he served as the Regional Managing Attorney for the entire state with responsibility for all four Florida offices and oversight of all their practice groups. In January of 2020, Craig assumed the role of Assistant Director of the Professional Liability Department and was elevated to Department Director in 2021. He works in Philadelphia while maintaining an office in Fort Lauderdale.

A trial attorney for over 30 years, Craig has litigated hundreds of cases in the state and federal courts of Florida, Pennsylvania and New Jersey, obtaining a majority of favorable jury verdicts in all three states. Over the course of his career, he has defended lawyers, accountants, architects, engineers, real estate professionals, property managers, debt collectors, insurance brokers and investment professionals in matters pertaining to malpractice, negligence and fraud. He has also represented law firms, lawyers and employers in all types of employment related litigation at the administrative level and in federal and state court.

Craig is rated AV Preeminent® by Martindale-Hubbell, the highest rating for an attorney's professional competence. He has also been selected numerous times to the South

Practices

- Miscellaneous Professional Liability
- Architectural, Engineering & Construction Defect Litigation
- Employment Law
- Commercial Litigation
- Premises & Retail Liability
- Insurance Agents & Brokers Liability

Florida Legal Guide – Top Lawyers in Professional Liability Defense. He is a graduate of Villanova University and Rutgers, The State University of New Jersey School of Law – Camden.

Education

- Rutgers Law School (J.D., 1985)
- Villanova University (B.A., 1982)

Admissions

- Pennsylvania, 1985
- Florida, 2006
- U.S. District Court Middle District of Florida
- U.S. District Court Southern District of Florida

Honors & Awards

- AV® Preeminent™ by Martindale-Hubbell®
- South Florida Legal Guide - Top Lawyers in Professional Liability Defense (2016, 2017, 2019, 2020, 2021)

Associations & Memberships

- Broward County Bar Association
- Defense Research Institute
- Florida State Bar Association
- Palm Beach County Bar Association

Classes/Seminars Taught

- *Understanding the Sub-Prime Credit and Housing Crises*, MG, 2008
- *Sub-Prime Market Collapse and Its Impact on Claims against Professionals involved in Real Estate Transactions*, Gen Star, 2008
- *Defending Construction Defect Litigation Claims in Florida*, Liberty International, 2007
- *Claims Against the Board of Directors of Condominium and Homeowner Associations*, USLI, 2006

Published Works

- "Career Spotlight: Leading the Success of Others," *South Florida Sun Sentinel*, August 12, 2018
- "Communication With Clients Key to Avoiding Professional Liability Claims," *InsuranceJournal.com*, April 17, 2017
- "How Insurance Agents Can Mitigate Malpractice Risk: Do the Right Thing," *Property Casualty 360*, January 27, 2016
- "To Reduce Malpractice Risk, Improve Client Communications," *Daily Business Review*, January 7, 2015
- "Did the Florida Supreme Court Greatly Expand Tort Law at a Cost to Florida's Contract Law?" *Defense Digest*, Vol. 19, No. 3, September 2013
- "Fear the Next Hurricane More Than Florida Supreme Court's Ruling on *Tiara*,"

Claims Journal, June 2013

- "Jury Verdict Value of Emotional Damages Caused by Age Discrimination," *Defense Digest*, Vol. 17, No. 2, June 2011
- "Third Circuit Confirms That All Claims Concerning Medical Devices, Other Than Breach of Express Warranty Claims, Are Barred," *Defense Digest*, January, 1996

Media Commentary

- "How Daubert Standard Could Impact Florida Industry, Judicial Climate," *Insurance Journal* and *Carrier Management*, June 17, 2019
- "Florida Justices Split Attorneys With New Expert Witness Standard," *Law360*, June 17, 2019
- "Leading the Success of Others," *Sun Sentinel* People on the Move, Aug. 12, 2018

Significant Representative Matters

- Defended Florida real estate attorney in a legal malpractice lawsuit arising out of the actions taken by the attorney which led to a default judgment being entered against his client, resulting in his client losing the right to enforce an option to purchase valuable real estate at below market price. After filing a motion for summary judgment asserting that plaintiff could not establish that the option to purchase was enforceable, the case settled for nuisance value.
- Defended Florida matrimonial attorney in a lawsuit filed by a dissatisfied client after a very acrimonious divorce proceeding to determine property settlement, child custody, and permanent alimony, which included three trials, two appeals, and dozens of motions. Plaintiff identified multiple "errors" by the attorney and claimed over \$1 million in damages. Eventually was able to undermine each of the claims made by the plaintiff, and eventually the case was able to be settled well below the plaintiffs bottom line figure.
- Defended Florida structural engineer in a multi-party binding arbitration arising out of a large condominium project. The case eventually settled without any contribution from the structural engineer.
- Defended Florida mechanical engineer in a multi-party pre-suit mediation arising out of a large multi-use complex wherein the case settled with the mechanical engineer making the lowest contribution to the settlement fund.
- Defended auto manufacturer in a number of cases claiming defective airbag system in which several of them went to trial and all ended with defense verdicts.
- Successfully defended at trial a national amusement park operator in several lawsuits claiming personal injuries caused by the alleged negligence of the amusement park operator by obtaining defense verdict in each of the cases.
- Obtained summary judgment on behalf of title agent alleged to have been involved in a fraudulent mortgage scheme.
- Obtained summary judgment on behalf of large masonry contractor in claim arising out of the collapse of a large wall during the course of construction.
- Defended actuary and benefits expert in a binding AAA arbitration in claims of professional negligence arising out of the termination of a defined benefits. Following twelve days of hearing, the case settled with a payment by the actuary and benefits expert far below the amount claimed at the beginning of the arbitration.

Results

Defense Verdict in Florida Legal Malpractice Case

Obtained a defense verdict in a legal malpractice case in Florida. Our clients, two board-certified construction lawyers, had unsuccessfully defended the plaintiff, a real estate developer for a project in West Palm Beach, Florida, in a lawsuit brought by the general contractor that ended with an adverse jury verdict of over \$1 million. In the underlying lawsuit, the two lawyers pursued a litigation strategy that, upon reflection, had little chance of success. The lawyers never communicated to their client the prospect of an adverse result, at least not in writing. During the underlying trial, the judge made critical comments concerning the attorneys' preparation and made several adverse rulings, including dismissing a third-party complaint against one party, stating that the lawyer had sued the wrong party, and another ruling excluding their primary expert because the expert's opinions were not properly disclosed during discovery. Our defense focused on the theme that the legal advice and strategy the attorneys provided to their client was based on inaccurate information supplied by the client; that the client deliberately withheld critical information; that their developer was the one in control of the underlying litigation strategy; and that his own actions and trial testimony undermined his case, not the actions of his attorneys. The trial lasted 14 days; the plaintiff's case took ten and one-half days to present three live witnesses; and there were over 500 exhibits admitted into evidence. The defense case was presented in two and one-half days with testimony from four live witnesses, including the plaintiff's attorney from the underlying trial. The jury deliberated for less than one and one-half hours before returning a defense verdict on all counts.

Thought Leadership

June 1, 2023

Message From the Executive Committee

April 1, 2022

Message From the Executive Committee

June 1, 2021

Message From the Executive Committee

March 1, 2021

Message From the Executive Committee