

## Danielle N. Robinson

Co-Chair, Insurance Services Practice Group

Co-Chair, First Party Property Practice Group

[DNRobinson@mdwgc.com](mailto:DNRobinson@mdwgc.com)

Fort Lauderdale – 954.847.4939



Danielle is a shareholder in the firm's Professional Liability Department and serves as Co-Chair of the Insurance Services Practice Group as well as Co-Chair of the First Party Property Practice Group. She focuses her practice on the defense of insurance carrier clients in matters involving coverage issues and alleged bad faith actions. Many of these coverage disputes are derived from claims involving windstorm, sinkhole, fire, mold, theft and water losses. Additionally, she represents automobile manufacturers in lemon law and warranty litigation. She defends these companies in breach of express warranty, breach of implied warranty, Florida Deceptive and Unfair Trade Practices Act, and rescission lawsuits in Florida and United States federal courts from pre-suit through trial. Danielle has also handled several appeals for her clients involving issues in civil defense and litigation.

Danielle is a 2002 graduate of Florida State University and earned her J.D. from St. Thomas University School of Law in 2005. She is admitted to practice in Florida, as well as the United States District Court for the Southern and Middle Districts of Florida.

### Education

- St. Thomas University College of Law (J.D., 2005)
- Florida State University (B.S., 2002)

### Admissions

- Florida, 2005
- U.S. District Court Southern District of Florida

### Honors & Awards

- AV® Preeminent™ by Martindale-Hubbell®
- South Florida Legal Guide, Up & Comer, Insurance Litigation Defense, 2019-2021

### Practices

- Miscellaneous Professional Liability
- Insurance Services – Coverage & Bad Faith Litigation

- Florida Super Lawyers Rising Star-Insurance Coverage and Civil Litigation Defense (2014-2015)

## Associations & Memberships

- Bankruptcy Bar Association, Young Lawyers Division
- Miami-Dade County Bar Association

## Classes/Seminars Taught

- *Mediation and Pre-Suit Claims Handling – Best Practices*, Client Seminar, August 2016
- *Insurance Coverage and Bad-Faith Insurance Issues Under Florida Law*, Marshall Dennehey Florida Claims Symposium - *The Best Defense is a Good Offense*, Orlando, FL, September 17, 2014

## Published Works

- "Decision Requiring Strict Compliance with § 627.7152 Provides Insurance Carriers with Another Tool to Combat Litigation of Assignment of Benefit Claims," *Defense Digest*, Vol. 28, No. 12, December 2022
- "Enforceability of Proposals for Settlement in Actions Requesting Declaratory Relief," *Defense Digest*, Vol. 22, No. 4, December 2016

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## Results

### Summary Judgment Achieved in First-Party Coverage Lawsuit

We won summary judgment in the U.S.D.C. for the Middle District of Florida in a first-party coverage case challenging the prompt notice of an insurance claim. The plaintiff alleged extensive damage to the insured premises, including the alleged need to tear out and access the cast iron plumbing for its full replacement following a toilet overflow at the property. The plaintiff failed to report the loss for 20 months following the alleged date of loss. In a written motion, Carolin and Danielle argued that the plaintiff cannot rebut the presumption of prejudice because, at the time the insurance carrier investigated the loss, there was no actual damage to the property. The court agreed and granted summary judgment in favor of our client.

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## Thought Leadership

March 1, 2026

### Third DCA Finds Two-Year Delay in Reporting Property Damage Violates Prompt-Notice Obligation

December 1, 2025

### First District Court of Appeals Affirms Carrier's Payment of Actual Cash Value in

**Hurricane Sally Insurance Dispute; the Breach Must Occur Prior to Filing the Complaint**

September 1, 2025

**Second District Court of Appeal Finds Carriers Cannot Limit Damages to Actual Cost Value at the Trial Involving a Denied Claim**

June 1, 2025

**Court Grants Summary Judgment to Insurer, Finding No Breach Where Plaintiffs Failed to Submit Competing Actual Cash Value Estimate or Make Repairs**

March 1, 2025

**Fifth District Court of Appeal Rules Insurance Benefit Assignment to Roofing Contractor Invalid Under Florida Statute § 627.7152.**

December 1, 2024

**Court finds contract invoking direction to pay is an assignment and subject to requirements for assignments in Florida Statute § 627.7152.**

September 1, 2024

**District Court for the Middle District of Florida rules insurance company cannot be compelled to go to appraisal without the insured first satisfying all post-loss obligations.**

August 1, 2024

**Fourth District Court of Appeal recedes from prior case law and finds a motion or request for trial de novo must be made within 20 days of an adverse arbitration decision, or trial is waived.**

July 1, 2024

**First District Court of Appeal finds setoff is appropriate in an underinsured motorist claim when the tortfeasor's liability coverage is available to an injured plaintiff, even when no benefits have been paid.**

June 1, 2024

**Appellate court affirms ruling a sworn proof of loss and estimate related to later claim was inadmissible as hearsay and irrelevant.**

May 1, 2024

**Court rules the more reasonable interpretation of the term "hurricane occurrence" is the loss had to have been caused by the hurricane.**

December 1, 2022

**Decision Requiring Strict Compliance with §627.7152 Provides Insurance Carriers With Another Tool to Combat Litigation of Assignment of Benefit Claims**

