

# Holly M. Hamilton

Shareholder

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Holly is a shareholder in the firm's Professional Liability Department where she focuses on Florida director & officer disputes in not-for-profit condominium and other community associations. These disputes include Fair Housing Act (FHA) claims, condo disputes under Chapter 718, Florida Statutes, and homeowners' association disputes under Chapter 720. Holly has strong defense experience at every level including pre-suit and for actions filed before various governmental agencies, as well as in state and federal courts.

Holly's practice is also focused on a variety of employment disputes. Holly has defended multiple employment discrimination, harassment, and retaliation claims at all levels including disability and racial discrimination claims before the Equal Employment Opportunity Commission (EEOC).

Further, Holly has also handled a variety of consumer financial services litigation and compliance matters. She has additionally been involved in a range of other civil litigation matters including breach of contract issues, commercial disputes and real estate actions.

Holly received her *juris doctor* from Hofstra University School of Law after majoring in Economics and English at Florida International University. She is admitted to practice law in the states of Florida, New York, and New Jersey, and enjoys reading all manner of fiction.

## Education

- Maurice A. Deane School of Law at Hofstra University (J.D., 2014)
- Florida International University (B.S., 2011)

## Admissions

- Florida

## Practices

- Miscellaneous Professional Liability
- Non-Profit D&O
- Consumer Financial Services Litigation
- Employment Law
- Appellate Advocacy & Post-Trial Practice

- New Jersey
- New York
- U.S. District Court Middle District of Florida
- U.S. District Court Southern District of Florida

## Honors & Awards

- The Best Lawyers: Ones to Watch®, Financial Services Regulation Law (2021-2025)

## Published Works

- "Consider the Charge Before Responding to an EEOC Investigation," *PLUS Blog*, June 22, 2023
- "Article III Standing Does Not Come from Violation of Statute Alone," *Defense Digest*, Vol. 28, No. 12, December 2022
- "Punitive Damage Amendments Soon Subject to Immediate Interlocutory Appeal," *Daily Business Review*, February 9, 2022

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## Thought Leadership

May 7, 2026

**The Listing Agreement Controls in Real Estate Commission Dispute Between Broker and Seller**

February 5, 2026

**Florida Legislative Update: Proposed E&O Insurance Requirement for Home Inspectors**

January 12, 2026

**Florida 5th DCA Decides Proof of Available Insurance in the Marketplace Is Not Required for All Claims Against an Agent or Broker**

January 1, 2026

**Eleventh Circuit Affirms Summary Judgment for Employer in ADA Disability Discrimination Suit**

October 1, 2025

**Florida Appellate Court Clarifies Accrual of Employment Discrimination Claims Dually Filed with EEOC and FCHR**

April 1, 2025

**Appellate Court Reverses Denial of Summary Judgment in FCRA Retaliation Case**

January 1, 2025

**Florida's Court of Appeals Holds a Private Employee's Recovery for Retaliation Under Florida's Whistleblower Act Must Be for Actual Violations of Law**

October 1, 2024

**Florida's Third District Court of Appeal Affirms Dismissal with Prejudice for Failure to Exhaust Administrative Remedies in Sexual Harassment Case.**

July 1, 2024

**Florida's Fourth District Court of Appeal Explores "Cat's Paw" Liability Theory in an Employment Law Whistleblower Retaliation Context**

January 1, 2024

**Florida Court of Appeals Holds that an EEOC Charge Does Not Need to Specifically Allege the Florida Civil Rights Act to Exhaust Administrative Remedies Prior to Filing a Lawsuit.**

October 1, 2023

**The EEOC's Investigatory Powers Are Limited to the Scope of a Valid Charge**

July 1, 2023

**The EEOC's investigatory powers are limited to the scope of a valid charge.**

June 22, 2023

**Consider the Charge Before Responding to an EEOC Investigation**

April 1, 2023

**Even if at work, dressed for work and wearing a work badge, an employee is not thought to be acting within the scope of his or her employment if not on duty on the employer's behalf when the incident occurs.**

January 1, 2023

**An employer is not liable for failure to accommodate if the employee is responsible for the breakdown of the interactive process.**