

# Lindsay G. McCormick

Office Managing Attorney

[LGMccormick@mdwcg.com](mailto:LGMccormick@mdwcg.com)

Tampa – 813.898.1837



Lindsay is a Florida Bar Board Certified Construction attorney and the Managing Attorney of our Tampa office. As a member of our firm's Professional Liability Department, the focus of her practice is construction defect litigation, architect and engineer defense and general professional liability defense. In this role, Lindsay provides counsel to general contractors, subcontractors, manufacturers, suppliers, architects and engineers in claims brought against them in a variety of construction projects and disputes, both individually and through insurance carriers.

Additionally, Lindsay is well-versed in the practice of pursuing affirmative claims against subcontractors and sub-subcontractors when appropriate, including pursuing tenders and additional insured obligations. Further, Lindsay assists clients through pre-suit investigations, mediations and arbitrations when appropriate. Lindsay is also experienced in handling condominium association claims, and directors' and officers' claims for real estate agents, brokers and appraisers.

In addition, Lindsay is also a former member of the firm's Executive Committee Advisory Council, a distinguished group of firm leaders whose purpose is to enhance the communication between the Executive Committee and younger members of the firm's professional ranks, including associates, special counsel and junior shareholders.

Outside of her law practice, Lindsay is an active participant in various programs with local pet rescue groups in the Tampa Bay Area, where she works with animal rescues and serves as a foster caretaker for rescued dogs in transition, until they find adoptive homes.

## Education

- Florida State University College of Law (J.D., *cum laude*, 2010)
- Florida Gulf Coast University (B.A., *magna cum laude*, 2007)

## Practices

- Architectural, Engineering & Construction Defect Litigation
- Real Estate E&O Liability
- Miscellaneous Professional Liability

## Admissions

- Florida, 2010
- U.S. District Court Middle District of Florida, 2011

## Honors & Awards

- The Best Lawyers in America®, Litigation - Construction (2023-2026)
- Florida Super Lawyers Rising Star (2014-2020)

## Published Works

- *Case Law Alerts*, contributor, 2018
- "Construction Defect Claims and the Role of the Insurer in Early Proceedings," *Insurance Journal - Focus on Florida*, November 21, 2016
- "Chapter 558 Notice and the Duty to Defend," *Defense Digest*, Vol. 21, No. 3, September 2015
- "Use of Case Management Orders in Construction Litigation," *Lawyer* magazine, publication of the Hillsborough County Bar Association, February 2015

## Significant Representative Matters

- Represented a shell contractor in a large condominium project litigation that spanned more than 6 years. The representation included both defending claims asserted by the Condo Association, as well as the general contractor, and actively pursuing claims against more than a dozen sub-subcontractors. Through the use of detailed analysis, effective defenses, active tendering and additional insured tenders, and settlement negotiations with numerous parties, was able to obtain a valuable resolution in advance of what would have been a 3-month trial.
- Represented framing contractor in binding arbitration initiated by a general contractor for both direct and consequential damages resulting from the construction of a multi-family building. Carried representation through issuance of Interim Award by the arbitration panel containing a favorable ruling for the client, which included a finding of waiver of all alleged consequential damages. The award spurred a reasonable settlement which the general contractor previously was not willing to consider.
- Obtained a defense verdict at trial for an engineering client related to claims surrounding an alleged failed sinkhole repair. Claims included professional negligence for the design of the repair, as well as claims of fraud and negligent misrepresentation.
- Defended subcontractors and material suppliers in numerous cases for both direct and third-party claims relating to alleged construction defects and including both contractual and statutory warranty claims.
- Defended design professionals in both direct and third-party claims relating to allegations of design deficiencies, and/or failure to properly perform supervisory duties.

## Certifications

- Board Certified, Construction Law, The Florida Bar, 2024

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## Thought Leadership

October 1, 2025

**Florida Courts Reaffirm Damages Must Be Calculated as of Date of Breach in Construction Defect Cases**

April 1, 2025

**General Contract May Be Entitled to Award of Attorneys' Fees Against Subcontractor, Despite Jury's Apportionment of Damages**

October 1, 2024

**A Default Judgment Is Not Always the End**

April 1, 2024

**Competent, Substantial Evidence Is the Name of the Game in Construction Disputes**

October 1, 2023

**Florida District Court Rules Four-Year Statute of Limitations Governs Construction-Based Malpractice Claims Against Design Professionals**

April 1, 2023

**Proposed Revision to Florida Statute Sits Before the House that Would Require Building Code Violations to be "Material" to Trigger Claim Under 553.84**

October 1, 2022

**Trial Court Rules a General Contractor Cannot Delegate its Obligation to Comply with Florida Building Code to its Subcontractors**

April 1, 2022

**FL Appellate Court Reverses Summary Judgment in Favor of General Contractor Because Only a Portion of Work by Defendant Required Specialty Certificate**

January 3, 2022

**Possible major changes in Florida construction litigation.**