

Andrew J. Marchese

Chair, Non-Profit D&O Practice Group

AJMarchese@mdwgcg.com

Fort Lauderdale – 954.847.4934



Andrew brings a distinct combination of litigation skills to his practice, developed during his legal career in South Florida. He represents various individuals, private and public companies, and non-profit entities in a broad range of business matters. Board Certified in Condominium and Planned Development law by The Florida Bar, Andrew has represented hundreds of condominium associations, homeowners associations, directors, officers and property managers in claims ranging from breach of fiduciary duty, breach of the declaration, real estate liens, real property document disputes, Fair Housing Act (FHA) and HUD claims, including reasonable accommodation claims by unit owners and visitors, and discrimination claims of every type. His extensive directors & officers practice has given him significant experience with all types of claims in this arena.

Andrew's practice also consists of complex litigation with an emphasis on the defense of non-medical professionals, including attorneys, directors and officers, insurance brokers and title agents, architects and engineers, design professionals, general contractors, construction managers and subcontractors, against claims of liability, breach of contract, construction defect, design defect, delay, insurance coverage issues and licensure issues.

Additionally, Andrew represents employers in litigation and provides them advice and counsel concerning a variety of employment-related matters. Andrew has handled the defense of employment law cases in federal and state courts and before various administrative agencies. He has defended employers in claims alleging discrimination, violation of federal and state employment-related statutes, wrongful discharge, breach of contract and related tort claims. Andrew also has experience with ADA public accommodation cases.

In 1990, Andrew graduated from the University of Maryland (College Park) where he received his Bachelor of Arts Degree in Criminal Justice/Pre-Law. He then went onto

Practices

- Miscellaneous Professional Liability
- Non-Profit D&O
- Architectural, Engineering & Construction Defect Litigation
- Employment Law
- Insurance Agents & Brokers Liability
- Lawyers' Professional Liability
- Disciplinary Board Representation

obtain his *juris doctor* from The Thomas M. Cooley School of Law (*cum laude*), graduating in the top ten percent of his class.

Education

- Cooley Law School (J.D., *cum laude*, 1995)
- University of Maryland (B.A., 1990)

Admissions

- Florida, 1995
- U.S. District Court Southern District of Florida, 1996
- U.S. District Court Middle District of Florida, 1998

Associations & Memberships

- The Florida Bar, Board Certified in Condominium and Planned Development
- Aviation Insurance Association
- Dade County Bar Association
- The Association of Trial Lawyers of America

Classes/Seminars Taught

- *Community Associations - Exposures Close to Home*, Marshall Dennehey Client Presentation, September, 2020
- *Contemporary Litigation Issues for the Claims Professional*, Marshall Dennehey Client Presentation, September 21, 2015

Published Works

- "Article III Standing Does Not Come from Violation of Statute Alone," *Defense Digest*, Vol. 28, No. 12, December 2022
- "Florida Appeal Court Finds Assignment of Legal Malpractice Claim Permissible in Commercial Setting," *PLUS Magazine*, October 2006

Thought Leadership

May 7, 2026

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

August 1, 2025

Legal Update for Insurance Agents & Brokers – CASE LAW UPDATE

August 1, 2024

Legal Update for Insurance Agents & Brokers – Case Law Update

August 1, 2023

The Insurer Was Not Bound by the Actions of the Insurance Broker Who Placed Insurance with the Insurer

December 1, 2022

Article III Standing Does Not Come from Violation of Statute Alone

October 1, 2021

Florida Appellate Court Decides that a Master Association Has No Standing to Sue its Condominium Association