

Thomas F. Brown

Office Managing Attorney

Co-Chair, Rideshare Liability Practice

TFBrown@mdwccg.com

Orlando – 407.420.4392



Tom is a member of the Casualty Department and serves as the Managing Attorney of the Orlando office. He devotes his practice to civil litigation defense, advocating for corporations in claims of premises liability, wrongful death and product liability. He has handled hundreds of cases on behalf of a variety of corporations, many involving catastrophic injuries. During his career, he also has handled cases involving employment law, labor law, negligent security, trucking and transportation, motor vehicle accidents, sexual abuse and workers' compensation. He also has experience handling cases involving allegations of mold resulting in personal injury and/or property damage. As part of his amusement and entertainment practice, Tom represents venues including theme parks, golf courses, water parks and retail stores. Tom is an active member of the International Amusement and Leisure Defense Association (IALDA).

Tom co-chairs the firm's Rideshare Liability practice where he represents some of the nation's leading ridesharing companies, their independent drivers and insurance carriers. In this capacity, he assists in managing the unique legal issues that often arise with rideshare claims, including insurance coverage, direct and vicarious liability and statutory compliance challenges.

Tom began his career at a civil litigation firm in Miami where he worked with one of the presidents of the Florida Bar. In 2006, he moved to Orlando where he joined a statewide defense litigation firm. Tom continues to dedicate his practice to defending corporations in civil litigation here at Marshall Dennehey.

Tom obtained his undergraduate degree from Rollins College where he made Dean's List and President's List. In 2001, he graduated cum laude from the University of Miami School of Law. As a law student, he made Dean's List and earned the Dean's Certificate of Achievement as well as the CALI Excellence for the Future Award.

Tom is a member of the Florida Bar and is admitted to the United States District Court for

Practices

- Rideshare Liability
- Amusements, Sports & Recreation Liability
- First-Party Property
- General Liability
- Product Liability
- Trucking & Transportation Liability
- Construction Injury Litigation
- Catastrophic Claims Litigation

the Middle District of Florida.

Education

- University of Miami School of Law (J.D., *cum laude*, 2001)
- Rollins College (A.B., 1998)

Admissions

- Florida, 2001
- U.S. District Court Southern District of Florida, 2008

Honors & Awards

- The Best Lawyers in America®, Personal Injury Litigation - Defendants (2023-2027)

Associations & Memberships

- Florida Bar - Member, Workers' Compensation Section
- International Amusement and Leisure Defense Association, Inc. - Member
- Orange County Bar Association

Classes/Seminars Taught

- *Mock Trial, Trial Run, Tabletop Role Playing – Guilty or Not Guilty?*, Bus Industry Safety Council (BISC) Annual Summer Meeting, Orlando, FL, July 22, 2024
- *Sharing Economy: Carshare and Rideshare Litigation*, Florida Defense Lawyers Association (FDLA) webinar, February 9, 2023
- *The Complexity of Rideshare Claims*, AM Best Insurance Law Podcast, June 2021
- *Defending Catastrophic Injury Claims - How to Stack the Deck in Your Favor*, Marshall Dennehey Florida Claims Symposium – Casino Royale, Tampa, FL, September 20, 2018
- *Legal RoundTable*, Amusement Industry Manufacturers & Suppliers International Conference, Orlando, FL, 2015
- *Blitz on Damages: Challenging Medical Bills*, Marshall Dennehey Florida Claims Symposium - *The Best Defense is a Good Offense*, Orlando, FL, September 17, 2014
- *Analyzing Slip and Fall Claims*, Gallagher Bassett Services, April 2014, co-presenter
- *Legal Round Table*, IAAPA Convention, 2012
- *Reducing The Risk & Severity of Claims*, Athletic Business Conference, 2011
- Roller Skating Association and International Laser Tag Association Convention, 2011
- *Legal Round Table*, IAAPA Convention, 2011

Published Works

- "Defending Ride-Hailing and Car-Sharing Claims: Handling Accident-Related Lawsuits in a Shared Economy," *CLM Magazine*, January 2022

Significant Representative Matters

- Successfully resolved a wrongful death action involving a 14-year-old boy who tragically fell from an attraction at a major entertainment complex in Orlando, FL. Representing the ride's owner/operator, Tom was able to navigate the complexities of

a concurrent criminal investigation, a State of Florida administrative review, and widespread international media coverage.

- Obtained Judgment on the Pleadings on behalf of plaintiff's employer in a matter involving alleged intentional tort where demand was \$250,000.
- Successfully argued a Motion to Dismiss for Fraud on the Court in a matter involving alleged electric shock where demand was over \$100,000.
- Played an active role in the investigation, discovery, and motion phases of a product liability case that settled during deliberations in the second phase of trial where demand to jury was over \$500,000,000 but award against client after first phase of trial was less than \$50,000.
- Prepared a successful Motion for Partial Summary Judgment on a negligent hiring and negligent supervision in a matter involving an employee that shot an innocent bystander, and the matter settled shortly thereafter.
- Obtained defense verdict in workers' compensation case involving alleged permanent total disability.

Representative Cases

- *O'Rourke v. Wal-Mart Stores, Inc.*, 65 So.3d 529 (Fla. 5th DCA 2011)
 - *Edwards v. Cornelius*, 2012 U.S. Dist. LEXIS 79587 (M.D. Fla. June 8, 2012)
-

Results

Successfully Resolved Highly-Publicized Wrongful Death Action in Florida

We successfully resolved a wrongful death case involving a 14-year-old boy who fell from an Orlando attraction, navigating a concurrent criminal investigation, state review, and intense media scrutiny on behalf of the ride's owner/operator.

Thought Leadership

July 20, 2026

Florida Appellate Court Affirms Dismissal with Prejudice of a Claim Against Lyft Based on Statutory Immunity

April 1, 2026

Florida Court Affirms Dismissal of Claims Against Lyft, Clarifying TNC Immunity at the Pleading Stage

January 1, 2026

Florida Appeals Court Upholds Lyft's Immunity Under TNC Statute in Wrongful Death Suit

October 1, 2025

Queens Court Declines to Dismiss Subrogation Action, Finding Issues of Control

Over Uber Driver

July 1, 2025

Federal Court Shields Lyft from Liability in Driver Altercation, Citing Independent Contractor Status

April 1, 2025

Florida Court Holds Uber Is Not Vicariously Liable for Driver's Negligence in Fatal Accident

October 1, 2024

Federal District Court in California, Applying Florida Law, Dismisses Multiple Causes of Action Against TNC for Alleged Sexual Assault.

July 1, 2024

Federal District Court in Florida Grants Summary Judgment for Insurer, Finding that Transportation Network Company's Policy Did Not Provide UM and UIM Coverage for the Driver

April 1, 2024

Florida Senate Passes Bill Regulating Food Delivery Apps

October 1, 2023

Federal Court Dismisses Wrongful Death Action Against an Online Food Delivery Platform

March 1, 2023

On the Pulse...Our Rideshare Liability Practice Group

January 1, 2023

Superior Court of Pennsylvania Finds Uber Cannot Compel Arbitration Based on Browser App Agreement

October 1, 2022

California Court Affirms Dismissal, Finding Uber Had No Duty to Prevent Fake Uber Scheme Leading to Sexual Assault

July 1, 2022

California Court Reverses Summary Judgment in Favor of Uber and its Independent Driver

April 1, 2022

Florida Court Rejects Car Dealership's Graves Amendment Defense for Loaner Vehicle