

Ryan D. Burns

Shareholder

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Ryan is a longstanding member of the firm's Casualty Department and has considerable experience with a wide variety of casualty matters. A substantial portion of Ryan's practice is devoted to the handling of matters with complex theories of liability, often involving catastrophic loss and/or wrongful death. They include claims emanating from product liability, construction and equipment accidents, automotive liability, interstate trucking and transportation, negligent security, premises and retail liability, among many others. As an example of this complexity, Ryan has litigated several matters where causation for death was at issue such as alleged complications from surgeries and alleged food borne illnesses (e. coli, vibrio), and has handled numerous multi-party claims involving demands in excess of \$50 million.

As a litigator with experience in a multitude of casualty disciplines from the general to the specialized, including asbestos and toxic tort, maritime and fraud/special investigation, Ryan serves as thought leader and mentor to associates in his office. He has also argued appeals before the Second, Third, and Fourth District Courts of Appeal.

Ryan's legal career started as a prosecutor with Miami-Dade State Attorney's Office, which provided him with considerable litigation experience and familiarity with the criminal justice system. This was a continuation of his focus on litigation during his legal education at Indiana University School of Law - Bloomington where he was in Moot Court (finalist and competition team) and the school's trial competition team. In combination with his civil career at Marshall Dennehey, Ryan has tried approximately 20 jury trials to verdict, including several complex multi-party and Wrongful Death matters spanning weeks in court.

Ryan is a Florida native, born and raised in Cocoa Beach in Brevard County and attending the University of Florida as an undergraduate where he studied theoretical physics and mathematics before leaving Florida for law school with his wife. He now is based out of Fort Lauderdale where he and his wife are raising two daughters, and in his

Practices

- Product Liability
- Premises & Retail Liability
- Automobile Liability
- Trucking & Transportation Liability
- General Liability
- Asbestos & Mass Tort Litigation
- Maritime Litigation
- Fraud/Special Investigation
- Construction Injury Litigation
- Catastrophic Claims Litigation

spare time trains for obstacle course racing and triathlons.

Education

- Indiana University Maurer School of Law (J.D., *cum laude*, 2006)
- University of Florida (B.S., 2003)

Admissions

- Florida, 2006
- U.S. District Court Southern District of Florida, 2008
- U.S. District Court Middle District of Florida, 2019

Honors & Awards

- Florida Super Lawyers Rising Star (2013-2020)

Associations & Memberships

- American Bar Association

Classes/Seminars Taught

- *Negligent Security Claims - Premises Under Attack*, Marshall Dennehey Client Seminar, July 25, 2025
- *Relevant Procedural Rule Changes for Risk Manager*, Broward County RIMS Chapter Meeting, Ft. Lauderdale, FL, January 15, 2025
- *New Florida Tort Reform Changes Under HB 837*, Tampa Bay RIMS Chapter Meeting, Tampa, FL, October 18, 2023
- *56 Feds are Coming: Strategies Using the Upcoming Florida Summary Judgment Standard*, Marshall Dennehey Client Webinar, January 15, 2021
- *When Lithium Batteries Fail and What to do About it* – panel, 2019 CLM Southeast Conference, Orlando, FL, October, 2019
- *ETHICS: The Tripartite Relationship and Bad Faith Claims*, Marshall Dennehey Florida Claims Symposium – Casino Royale, Tampa, FL, September 20, 2018
- *Discussions of Recent Florida Case law Developments Regarding EUO Methodology and Limitations*, FIFEC - Florida Insurance Fraud Education Committee, Orlando, FL, June 2012
- *Florida Premises Liability Law and the Affect of Medicare Liens on Settlements*, client seminar, October 2011

Published Works

- "Understanding Florida's Sweeping New Immunity Law for COVID-19 Claims," *Insurance Journal*, April 15, 2021
- "Commentary: Navigating Florida's Comparative Fault Statute," *Insurance Journal*, April 20, 2016
- "Board of Contributors: Florida Supreme Court Sets Settlement Ground Rules," *Daily Business Review*, April 23, 2015
- "GEICO Case Opens Door to Depose Plaintiff's Physician," *Daily Business Review*, April 1, 2013

Legal Teaching Position

- Certified Instructor in Adjuster Law and Policy by the Florida Department of Financial Services, Bureau of Licensing

Significant Representative Matters

- Obtained summary judgment in a foodborne-illness wrongful death case. The plaintiff brought a wrongful death action against multiple parties, including the seafood supplier, asserting that the Decedent died after consuming raw oysters containing vibrio vulnificus. Our attorneys represented the supplier and argued that there was no evidence the oysters were defective when they left the supplier's control. Their expert provided an affidavit outlining the applicable harvesting, processing, and transportation standards and confirmed that the supplier met all relevant duties. Faced with this record, plaintiff's counsel ultimately conceded that the evidence did not support a claim against the supplier. The Court granted summary judgment in the supplier's favor. The case continues against the remaining defendants, who face multimillion-dollar demands.
- Obtained a defense verdict in a wrongful death/negligent security claim, where demand was \$10 million, by arguing that the claimant was a trespasser at the time of the shooting.
- Obtained defense verdicts in several premises liability trials on the basis that clients were not negligent.
- Obtained summary judgments in several negligence cases on issues ranging from workers' compensation immunity to insufficient evidence of negligence.

Results

Summary Judgment Secured in a Foodborne Illness Wrongful Death Matter

We won summary judgment in a foodborne illness wrongful death case. The plaintiff filed a wrongful death action against multiple parties, including the seafood supplier, distributors, transporters and the restaurant that served the decedent. The plaintiff alleged the decedent died as a result of eating raw oysters that contained vibrio vulnificus. We represented the supplier and argued there was no evidence the oysters were defective when they left the supplier's hands. An expert was retained to support our motion for summary judgment. The expert prepared an affidavit citing the applicable duties pertaining to the harvesting, processing, and transportation of the oysters and stated the supplier did not breach any of the applicable duties. Utilizing calculated pressure tactics in a long-term strategy execution, plaintiff's counsel eventually conceded that the record evidence did not support a finding that the supplier breached its duties, resulting in the court granting summary judgment. The case remains ongoing with multimillion dollar demands against the remaining defendants.

Appellate Success in Wrongful Death Product Liability Action

Our attorneys succeeded in obtaining an affirmance in the Fifth District Court of Appeal of a final dismissal order of a wrongful death product liability action. The decedent's estate filed the lawsuit two years after the statute of limitations expired. The estate argued the

statute was tolled for a variety of reasons. The trial court dismissed the case, with prejudice, after giving the Estate five attempts to amend. The Fifth District affirmed the dismissal and dispensed with oral argument that same day.

Thought Leadership

December 13, 2023

Policies Alone Fall Short: Establishing a Standard of Care and Duty Requires More Than Internal Procedures

December 1, 2023

Policies Alone Fall Short: Establishing a Standard of Care and Duty Requires More Than Internal Procedures

April 15, 2021

Understanding Florida's Sweeping New Immunity Law for COVID-19 Claims