

Sean P. Greenwalt

Shareholder

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Sean is a shareholder in the firm's Casualty Department where he focuses his practice on amusement, sports, and recreation matters as well as fraud and personal injury protection disputes. Sean litigates a variety of complex matters on behalf of corporations involving premises liability, commercial auto liability, catastrophic loss, wrongful death and commercial contract disputes. He also has experience defending first-party auto coverage suits and conducting examinations under oath.

Sean is a member of the Florida Defense Lawyers Association and Claims Litigation Management Alliance. He routinely writes articles and presents on legal developments in the insurance industry, and has also been published in Insurance Journal. Sean also volunteers as a Guardian ad Litem child advocate in Hillsborough County.

Prior to joining Marshall Dennehey, Sean worked as outside counsel for a national automobile insurance company and previously worked as in-house counsel for a national automobile insurance company. Before working in civil litigation, Sean was an attorney for Florida's Department of Children and Families, where he successfully litigated countless legal issues and obtained numerous successful bench trial verdicts that protected the vulnerable and allowed children to become adopted.

Sean earned his *juris doctor* and graduated *magna cum laude* from Ave Maria School of Law in Naples, Florida. During law school, Sean served as an Associate Editor on Law Review and a member of the Moot Court Board. He also was a Judicial Intern for the Honorable Judge Douglas Frazier of the US District Court, Middle District of Florida. Sean obtained his Bachelor of Arts degree from Old Dominion University where he was inducted into the honor society for Communication majors, Lambda Pi Eta.

Education

- Ave Maria School of Law (J.D., *magna cum laude*, 2016)

Practices

- Personal Injury Protection (PIP) Litigation
- Amusements, Sports & Recreation Liability
- General Liability
- Automobile Liability
- Commercial Litigation
- Fraud/Special Investigation

- Old Dominion University (B.A., 2012)

Admissions

- Florida, 2016
- U.S. District Court Middle District of Florida, 2023

Associations & Memberships

- Florida Bar Association
- Florida Defense Lawyers Association
- Claims & Litigation Management Alliance (CLM) Western Florida Chapter
- Asian Pacific American Bar Association of Tampa Bay (APABA-TB)

Classes / Seminars Taught

- *A Proposal for Settlement for All Seasons: Effective Use of the PFS in Florida's New Legal Landscape*, Florida Liability Claims Conference, Lake Buena Vista, FL, June 18, 2025
- *First Party Auto (PIP) and Property Year in Review Preview*, The Institutes CPCU Society - Central Florida Chapter, November 14, 2024

Published Works

- "Florida Appeals Court Nods Enforceability of Forum Selection Clauses in PIP Cases." *Insurance Journal*, November 27, 2024
- "With Differing Court Rulings on Pre-Suit Notice of Intent, Florida Insurers Left Guessing." *Insurance Journal*, December 11, 2023
- "A Warning on Wording: Appellate Court Reverses Summary Judgment Ruling for Insurer After Finding Condition Precedent Affirmative Defense Too Narrowly Pled," *Defense Digest*, Vol. 29, No. 3, September 2023

Pro Bono

- Guardian ad Litem, Hillsborough County

Results

Dismissal of Florida No-Fault/PIP Action

The action was brought against an out-of-state insurer based on the plaintiff's failure to arbitrate. The plaintiff filed suit against a New Jersey insurance company over treatment that occurred in Florida. However, the subject policy and the laws of New Jersey require mandatory arbitration prior to initiating litigation. On the defendant's motion to dismiss and compel arbitration, the court found that the doctrine of *lex loci contractus* applied, which required the plaintiff to comply with New Jersey law and policy and to submit to arbitration prior to filing suit. The court entered a final order dismissing the case and compelling the plaintiff to complete binding arbitration.

Thought Leadership

May 15, 2026

Florida Appellate Court Sets Record Straight on Longtime Misconception of Examinations Under Oath as Admissible Evidence

December 3, 2025

Arbitration Near and Far: Fla.'s Fifth District Court of Appeal Issues Guidance for Arbitration Scope Disputes

March 1, 2025

Florida Court Limits Privilege for Claim File Notes in Depositions

November 27, 2024

Florida Appeals Court Nods Enforceability of Forum Selection Clauses in PIP Cases

December 11, 2023

With Differing Court Rulings on Pre-Suit Notice of Intent, Florida Insurers Left Guessing

September 1, 2023

A Warning on Wording: Appellate Court Reverses Summary Judgment Ruling for Insurer After Finding Condition Precedent Affirmative Defense Too Narrowly Pled

April 1, 2022

Recent Florida PIP Appellate Decisions Put Focus Back on Swift and Automatic Medical Benefits Payments