

## Julie Fishman Berkowitz



Shareholder

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### PRACTICE AREAS

[Law Firm Ethics & Professional Responsibility](#)

[Tax, Trusts & Estates](#)

[Litigation & Dispute Resolution](#)

[Class Actions](#)

[Estate, Probate & Trust Litigation](#)

### OVERVIEW

Julie Fishman Berkowitz is a Shareholder in the Litigation Department and the Assistant General Counsel for the Firm. Her practice focuses on complex business litigation in the state and federal courts, at the trial and appellate levels, with an emphasis on commercial real estate disputes, banking, lender liability claims, and trust and estates. Her experience also includes class action litigation, commercial mortgage foreclosure actions, and creditors' rights claims. Julie also provides labor and employment counseling and litigation defense of matters involving discrimination claims, defamation claims, and trade secrets. Prior to joining the Firm, Julie served as a Judicial Intern to retired Honorable Magistrate Stephen T. Brown, U.S. District Court for the Southern District of Florida.

### REPRESENTATIVE EXPERIENCE

Contract dispute between U.S. Global, LLC and Progress Energy (Florida Circuit Court, and Fourth District Court of Appeal). Julie was part of the team representing U.S. Global, a Fort Lauderdale based energy company, against Progress Energy, Inc., a large public utility company. The dispute arose out of the sale of facilities which produced a synthetic fuel from coal that qualified for federal tax credits. The trial resulted in a favorable jury verdict, with prejudgment interest, exceeding \$132 million. An appeal to the Fourth District Court of Appeal resulted in an affirmance of the judgment on one of the contract claims, which translated to a recovery of more than \$90 million. The balance of the case was remanded for further proceedings, and was later resolved favorably, by agreement, for an additional \$13.5 million, bringing the total recovery in the case to over \$103.5 million.

Obtained summary judgment on behalf of national lender on a \$20 million lender liability counterclaim asserting breach of contract, promissory estoppel, negligent misrepresentation, and breach of fiduciary duty.

Dispute between purchaser and developer of luxury ski home in the Yellowstone Club (Montana District Court and Montana Supreme Court). Julie was a member of the Stearns Weaver Miller team called in on appeal to represent the developer, resulting in a unanimous opinion reversing a \$2.5 million judgment against our client and remanding for entry of judgment in our client's favor.

Represented inventors of exercise equipment intellectual property in complex breach of contract and patent dispute resulting in unconventional and favorable settlement.

Defended financial institution against breach of contract claims relating to the purchase of tax certificates in multiple jurisdictions.

Member of litigation team that represented class of 12,000 Exxon dealers in contract-based class action lawsuit against Exxon Corporation that resulted in the recovery of more than \$1.1 billion.

Successfully represented a pro bono client who had been tricked into signing a quit claim deed giving up title to half of his house. After 3 years of contentious litigation, obtained summary judgment on claims of quiet title and breach of contract, recovering clear title to the client's home of more than 30 years.

Represented residuary beneficiary in will contest resulting in successful and favorable settlement.

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## PROFESSIONAL & COMMUNITY INVOLVEMENT

11th Judicial Circuit Grievance Committee "H", Member, 2022; Vice Chair, 2023

Children's Bereavement Center, Board of Directors

American Bar Association

Dade County Bar Association

Lawyers for Children America, Attorney Ad Litem

Florida Association for Women Lawyers (FAWL)

Beth Torah, Board of Directors

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## RECOGNITION

*Benchmark Litigation*

"Future Star," 2022, 2024

"40 & Under Hot List," 2018-2021

*Florida Trend*, Florida Legal Elite, 2021

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## PUBLICATIONS & PRESENTATIONS

**Publications:** [Is Diamond Smuggling Forever? The Kimberley Process Certification Scheme: The First Step Down the Long Road to Solving the Blood Diamond Trade Problem](#)

## NEWSROOM

**Firm Announcements:** [Stearns Weaver Miller Lawyers Named Among Benchmark Litigation's 2018 "Under 40 Hot List"](#)

| July 2018

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**In the Media:** [Going the Distance](#)

The Florida Bar Journal | | March 2017

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## EDUCATION

J.D., *cum laude*, University of Miami School of Law, 2005

*University of Miami Business Law Review*, Research and Writing Editor

B.A., *cum laude*, Brandeis University, 2002

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## ADMISSIONS

Florida

United States District Courts for the Middle and Southern Districts of Florida

The Supreme Court of the United States