

Michelle M. Gervais | Partner

Litigation

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Michelle Gervais co-chairs the firm’s Sports Law practice and advises high-profile athletes, celebrities, and executives, as well as businesses in the sports, entertainment, and finance industries in complex disputes that involve the intersection of business and family law matters. Known as a “fixer” across several legal disciplines, Michelle handles highly delicate matters protecting her clients from serious financial and reputational harm.

For select professional athletes and executives, Michelle helps them handle a variety of family law matters including dissolutions of marriage, domestic violence, paternity, custody, support, and pre-nuptial, post-nuptial, and cohabitation agreements. She also assists her clients and their businesses with other risk management issues affecting their brand, their company, and their professional legacy.

With deep experience in complex commercial litigation, as well as world class client service that goes above and beyond for her clients, Michelle is the lawyer to call when you need a holistic solution to a complex and delicate legal problem.

Sports, Entertainment, and Matrimonial Law

- Collaborative and litigate divorce/dissolution of marriage
- Domestic violence, domestic disputes
- Pre-nuptial/ante-nuptial, post-nuptial and cohabitation agreements
- Paternity, disestablishment of paternity, custody, parenting plans, child access, child support, alimony, palimony, and modification
- International kidnapping/Hague/ICARA, jurisdictional disputes, surrogacy, and relocation

- Contract negotiation, drafting, review and litigation, breach of fiduciary responsibility, Fair Labor Standards Act (“FLSA”) claims, and unjust enrichment disputes
- Name, Image, and Likeness (“NIL”)

Commercial, Real Estate & Business Litigation

- Dissolution of partnerships
- Fraud, misrepresentation, and civil conspiracy
- Violation of non-compete agreements, trade secret protection, and breach of fiduciary responsibility
- Insurance disputes, violation of Florida’s Deceptive and Unfair Trade Practices Act (“FDUTPA”)
- Purchase/sales contract disputes, Interstate Land Sales Act (“ILSA”) litigation, and construction/builder disputes
- Real estate disputes/litigation

Consumer Finance

- Represents lenders and financial institutions in contested foreclosures, quiet title, TILA, RESPA, FDUTPA, FCCPA, TCPA, title and lien priority disputes, and eminent domain

Select Speaking Engagements & Publications:

- Presented “Steps to Becoming Wise and Winning” for Professional Football Players Mothers Association’s (“PFPMMA”) Annual Retreat (July 2021)
- Lectured on “Top 10 Tips for Drafting Prenuptial Agreements” at the *29th Annual Family Law Nuts & Bolts of Divorce* Seminar presented by Dade Legal Aid-Put Something Back Program, the Dade County Bar Association’s Family Courts Committee and its Young Lawyers Section (June 2021)
- *Representing Professional Athletes in Divorce and Paternity Suits* for the American Bar Association’s Young Lawyer’s Division (June 2021)
- Interviewed by Pam Huff for the *Tampa Bay Business Journal* “Michelle Gervais Looks Ahead to Post-COVID Business Litigation” (April 2021)
- *Financial Services Regulatory and Litigation Update: Where Do We Go from Here?* for the Association of Corporate Counsel’s Banking & Financial Services CLE Institute (March 2021)
- Co-Moderated *Champions of Social Justice: Professional Sports Leaders on Anti-Racism and Allyship* (February 2021)
- Authored the feature article, “My Winning Playbook: Fading into the Fix,” for NFL THREAD’s *The Playbook* (Volume 3), the premier annual magazine for THREAD, a private social network for NFL spouses (current and former) and mothers and daughters of former and current NFL players and coaches (2021)
- Interviewed by *The Legal Examiner* on the spike of divorce cases during the coronavirus pandemic, discussing how her family law practice has seen the divorce caseload double and her thoughts on why there has been such an

increase. (August 2020)

- Interviewed for *USA Today* article “Divorce during coronavirus: Will splits soar after pandemic quarantines end?” (June 2020)
- Served as a guest speaker discussing the complex nature of maintaining wealth in divorce and other setbacks with host Richard Levick of LEVICK on *In House Warrior*, a daily podcast presented by the *Corporate Counsel Business Journal* (December 2020)
- Panelist on “Trying Cases during COVID: Roundtable on Best Practices and Lessons Learned” at Blank Rome’s annual Emerging Litigation and Employment Issues for In-House Counsel CLE program on emerging issues in business and employment litigation (December 2020)
- Lectured on “Hot Tips on PreNups & PostNups” at the 28th Annual Family Law Nuts & Bolts of Divorce Seminar presented by Dade Legal Aid-Put Something Back Program, the Dade County Bar Association’s Family Courts Committee and its Young Lawyers Section (December 2020)
- Participated as a panel speaker at “The Modern Athlete: Empowerment, Wellness & Transition,” a special event held by Carillon Miami Wellness Resort, The Shine Firm, and the Sports Lawyer’s Association to kick off the NFL’s Super Bowl 100th Anniversary week in Miami, Florida (January 2020)
- Lectured on “Hot Tips on PreNups & PostNups” at the 27th Annual Family Law Nuts & Bolts of Divorce Seminar presented by Dade Legal Aid-Put Something Back Program, the Dade County Bar Association’s Family Courts Committee and its Young Lawyers Section (December 2019)
- Spoke at the Tampa Bay Lightning Teammate Networking Event (November 2019)
- Lectured on “Civic Engagement: The Why and How” at the Tampa Women’s Leadership Summit (October 2019)
- Lectured on “Women Empowering Women” at the National Association of Sports Commissions 2019 Women’s Summit (April 2019)
- Co-chaired AdventHealth Tampa Foundation’s Third Annual Fashion for Hope (February 2019)
- Panelist on “The Business World of Medicine; Contract Negotiation, Dissolution of Partnerships, Non-Competes” (September 2018)
- Lectured on “Intro to Divorce & Hot Topics in Prenuptial Agreements” at the 25th Annual “Nuts & Bolts of Divorce” Seminar presented by Dade County Bar Association’s Family Courts Committee & Dade Legal Aid (November 2017)
- “Florida District Court Rejects Use of Statute of Limitations as a Basis for Asserting Consumer Protection Claims,” Blank Rome’s Consumer Finance Blog (January 2017)
- Hosted Round Table of Hot Topics in Sports with Assistant General Counsel of Miami Heat, Legal Affairs for Miami Dolphins, Assistant General Counsel for The University of Miami and moderated by Kenneth Shropshire (2014)

Select Engagements

LITIGATION

- Secured *Summary Final Judgment* in Pinellas County, Florida (and secured affirmance of Final Judgment on Appeal before the Second District Court of Appeals) for out of state medical financing company where the company was being sued in excess of \$15 million by a well-known medical practice under theories of fraud in the inducement, negligent misrepresentation, violation of FDUTPA and civil conspiracy.
- Secured Sole Parental Responsibility and Sole Temporary Custody for Father/Husband of two minor children.
- Negotiated numerous prenuptial agreements protecting extensive multimillion-dollar estates.
- Obtained dismissal of Paternity Suit for professional athlete and also for celebrity and managed to keep both matters out of the press.
- Prepared expert witness report for high profile athlete in Europe and further prepared expert for cross-examination as to opinion on the business of sports agents, European law, and need for advancement as to representation and disclosures to athletes, fiduciary responsibilities, and obligations and where athlete was taken advantage of by agency.
- Obtained affirmance by the Eleventh Circuit Court of Appeals on Respondent/Mother/Wife's Emergency Motion to Stay and Appeal of Final Judgment for Return of Child to Germany in *Hamprecht v. Hamprecht*, 12-12757 (11th Cir. 2012).
- Obtained Final Judgment and Order on behalf of Petitioner/Father/Husband (retired professional athlete), granting Return of Child to Petitioner/Father/Husband pursuant to The Hague Convention on the Civil Aspects of International Child Abduction and under International Child Abduction Remedies Act ("ICARA"). *Hamprecht v. Hamprecht*, 2:12-cv-00125-UA-DNF (M.D. Fla. 2012).
- Disestablished Paternity for Petitioner/Father of American minor child living in foreign country with Respondent/Mother.
- Obtained numerous dismissals with prejudice of counterclaims/or direct actions brought against national banks and national mortgage servicers in the areas of negligent underwriting, breach of contract, breach of good faith and fair dealing, fraud, negligent misrepresentation, violations of Real Estate Practices Act ("RESPA"), Fair Debt Collection Practices Act ("FDCPA") and violations of Florida Consumer Collection Practices Act ("FCCPA").
- Obtained numerous Summary Judgments and Final Judgments of Foreclosure for national banks and servicers in contested foreclosures.

Admissions

- United States Court of Appeals for the Eleventh Circuit
- Florida
- U.S. District Court - Middle District of Florida
- U.S. District Court - Southern District of Florida

Memberships

- American Bar Association
- Dade County Bar Association
- Hillsborough County Bar Association
- The Florida Bar

Education

- Central Michigan University, BS, cum laude
- University of Miami School of Law, JD, cum laude

Recognitions

- 2022, *Women We Admire's* Top 100 Women Leaders of Tampa
- 2021, America's Top 100 High Stakes Litigators®
- 2019–2021, *Florida Trend Magazine's* Top 500 Most Influential Business Executives for the State of Florida
- 2020, *Lawdragon's* 500 Leading Family Lawyer in America
- 2019-2021, America's Top 100 Bet-The-Company Litigators® Northern Florida
- 2019, 2021, *Tampa Style Magazine* Tampa Attorneys of the Year
- 2018, Blank Rome Office co-recipient for top Pro Bono Hours in Firm
- 2016, Hillsborough County Pro Bono Recognition for Service
- 2009-2011; 2014, "Rising Star," *Super Lawyers*
- 2013, Top 40 Attorneys Under 40 and "Rising Star" by *Daily Business Journal* Inaugural Edition
- 2013, "Future Star" in Florida, listed by *Benchmark Litigation*
- 2013, Commendation from Dade County Bar for long-term dedication to pro bono
- 2011, Florida's Outstanding Young Lawyers in Business Litigation from American Registry
- 2007, Dade County Bar Domestic Violence Award
- 2005, Board Member of the Year—Drug Free Youth in Town
- 2000–2001, 2004–2006, Dade County Bar Recognition for Service Award

Professional Activities

Professional

- Blank Rome's Diversity and Inclusion Committee, Member
- Women in Sports and Events ("WISE") Tampa Bay Chapter, Vice President, 2022; Vice President of Communications, Executive Board, and Co-Chair, Diversity & Inclusion Ad Hoc Committee, 2019–2021.
- Member of *Tampa Bay Business Journal* Leadership Trust, 2020
- Sports Lawyers Association; Central Florida Outreach Captain, 2017–present
- NCAA Women's Final Four Tampa Bay Local Advisory Committee, 2018–2019

- espnW's "Women in Leadership" Committee, 2017–2018
- Florida Bar; Family Law; Entertainment, Arts & Sports Law; Trial Lawyers
- Dade County Bar; prior Visiting Committee and Chair of Family Courts Committee; 2015 Dade Legal Aid Advisory Board
- Next Generation of Divorce, Collaborative Divorce Professional
- International Academy of Collaborative Professionals
- 2013 Miami-Dade Pro Bono Round Table Committee member and facilitator
- Dade County & Hillsborough County Bar Associations
- Court Appointed and Volunteer Guardian Ad Litem for children involved in domestic violence and custody disputes
- University of Miami Law School Alumni Club
- Central Michigan University Alumni Club

Charitable/Civic

- 2021, St. Joseph's Children's Hospital Hero's Ball committee member
- Positive Coaching Alliance ("PCA") mentoring and scholarship committee member
- AdventHealthTampa Foundation Board of Trustees, 2016–2019
- AdventHealthTampa 2017 Co-Chair for inaugural Fashion for Hope benefiting the Kay Meyer Breast Care Center; 2019 Co-Chair Fashion for Hope
- AdventHealth's Women of Influence Executive Board, 2017–2019
- 2017 fashion show committee for Georgette's Holiday Fashion Show benefiting St. Joseph's Hospital
- 2004-2006 Board Member, Children's Psychiatric Center, Inc.
- 2004-2006 Treasurer, Vice-President and President-Elect, Drug Free Youth in Town; 2005 Board Member of the Year
- represented Holocaust survivors to collect foreign settlements
- 2013-2015 supervised attorneys representing indigent immigrant children through deportation and dependency proceedings
- Former Volunteer Judge for Juvenile Offenders of the Miami-Dade County Teen Peer Court for Juvenile Justice program