



**MARK J. HEISE**  
SHAREHOLDER & CO-FOUNDER

## CONTACT

mheise@hsmpa.com

## EDUCATION

University of Florida, J.D., *with honors*

- Order of the Coif
- Order of the Barristers
- Moot Court Board (and co-winner of UF intramural competition)
- Appellate Advocacy Instructor
- Book Award—Jurisprudence

Vanderbilt University, B.S., *cum laude*,  
Mathematics

## CLERKSHIPS

Law Clerk,

Honorable James Lawrence King,

Southern District of Florida (1988-1989)

Over 30 years ago, Mark began his legal career as a law clerk to the Honorable James Lawrence King, former Chief United States District Judge for the Southern District of Florida. Since that time, Mark successfully pursued a broad spectrum of cases in arbitration or in state and federal courts.

### Significant matters include:

- Court appointed receiver for current developer of Jockey Club in North Miami
- Representing clients in major malpractice cases, such as a first-round 2013 NFL draft pick whose career ended in 2016 due to medical malpractice
- Leading the Boies Schiller team that pursued the high-profile, multi-district litigation class action against Takata and several auto manufacturers. The case involved the largest automobile recall in history and has already resulted in recovery of over \$1.5 billion for the owners and lessees of millions of cars nationwide with deadly and defective Takata airbags.
- Trying a six-week legal malpractice case where the plaintiff sought over \$100 million dollars including prejudgment interest. This trial may be viewed at: <https://cvn.com/proceedings/boca-airport-v-proskauer-rose-trial-2010-05-10>
- Serving as trial counsel for Philip Morris USA in numerous Engle progeny trials in Florida state and federal courts. Some of these state court trials may be viewed at: <https://cvn.com/proceedings/sommers-v-rj-reynolds-trial-2017-03-20> <https://cvn.com/proceedings/yvonne-banks-v-rj-reynolds-tobacco-company-et-al-trial-2014-02-13>
- Obtaining multi-million-dollar summary judgment in favor of landlord in commercial lease dispute on iconic Lincoln Road
- Representing opioid manufacturer being sued by consortium of hospitals in Broward County
- Defending the Crown Prince of the United Arab Emirates when he, along with many others, was accused of hacking the phone of an Al Jazeera reporter
- Arbitrating a joint venture dispute over a right of first refusal involving a leasehold at the Fort Lauderdale Airport
- Serving as class counsel to successfully recover overcharges in *Singer v. AT&T Corp.*, 185 F.R.D. 681 (S.D. Fla. 1998)
- Serving as class counsel to successfully recover an unconstitutional parking tax surcharge in *McGrath v. City of Miami*, 789 So.2d 1168 (Fla. 3d DCA 2001) *aff'd* 824 So.2d 143 (Fla. 2002). The law was held unconstitutional, and the city gave back taxpayers who made claims 100 cents on the dollar.

In addition, Mark has successfully litigated numerous complex, significant matters, including multimillion-dollar insurance claims, the defense and prosecution of legal and accounting malpractice claims, and securities litigation on behalf of defrauded investors. Some of these reported cases include *Flint v. ABB, Inc.*, 229 F. Supp.2d 1338 (S.D. Fla. 2002); *Southeastern Staffing Services, Inc. v. Florida Dept. of Ins.*, 728 So.2d 248 (Fla. 1st DCA 1998); *Christiania Holding, Inc. v. Koalick*, 695 So.2d 491 (Fla. 3d DCA 1993).

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Notably, one of his most meaningful and rewarding cases dates to his first year as a lawyer, when he represented an elderly woman whose 49-year-old son had suffered debilitating brain damage resulting from a vaccine he received as an infant. At the time, Congress had recently passed the National Childhood Vaccine Injury Act and the mother approached Mark approximately two weeks before the expiration of the statute of limitations to file a claim. She only wanted one thing: the ability to die in peace knowing her son would be taken care of for the rest of his life. Although the case had countless challenges and nuances, Mark did not hesitate to take it on pro bono. He spent three years moving the case forward before the federal government and he eventually secured the outcome the family wanted: access for her son to an assisted living facility for the rest of his life and support to ensure that he could live as independently as possible. In addition to waiving his fees, Mark persuaded other attorneys involved in the case to follow suit so the son could keep the meager \$30,000 provided for by the law to cover all the pain and suffering incurred throughout his life.

A true believer in giving back to support meaningful causes, particularly those related to our youth, Mark has spearheaded major donations of everything from back-to-school basics for underserved children at local schools to meaningful contributions to charitable nonprofit organizations such as Feeding South Florida, Children's Home Society and Lotus House.

#### PRACTICE AREAS

- Complex Commercial Litigation
- Class Action Litigation
- Antitrust Litigation
- Products Liability Litigation
- Catastrophic Injury and Wrongful Death Litigation
- Malpractice Litigation

#### PUBLICATIONS AND LECTURES

- Superstars in Trial and Jury Selection, Dade County Bar Association CLE Seminar, March 2018 (panelist)
- King of Justice: Judge King Has Served 47 Years on the Federal Bench, Eleventh Circuit Historical News, Volume XIV, Vol. 2, Summer 2017
- SuperLawyers CLE: What Every Lawyer should know About Trial Practice, Dade County Bar Association CLE Seminar, June 2011(Direct Examination), June 2012 (Opening Statement), June 2013 (Cross Examination)
- The Class Action Fairness Act: A Primer, Palm Beach County Bar CLE Seminar "Class Actions," April 2005
- Trial Strategies/Trial Preparation, The Florida Bar CLE Seminar "Federal Practice," March 2005, April 2009, April 2011
- Trial in Federal Court, The Florida Bar CLE Seminar "Federal Practice," May 2000, November 2003
- Trying the Class Action Lawsuit in Florida, National Business Institute Seminar, July 1998

#### ADMISSIONS

##### BARS

- Florida

##### COURTS

- U.S. Supreme Court
- U.S. Court of Appeals: Ninth Circuit
- U.S. Court of Appeals: Eleventh Circuit
- U.S. Court of Federal Claims
- U.S. District Court: Southern District of Florida
- U.S. District Court: Northern District of Florida
- U.S. District Court: Middle District of Florida
- U.S. District Court: Eastern District of Michigan

#### AWARDS AND ASSOCIATIONS

- Best Lawyers in America, Bet-the-Company Litigation and/or Commercial Litigation, (2010-Present)
- Florida Super Lawyer (2006-Present)
- Florida Trend Magazine, "Legal Elite," (2008-Present)
- South Florida Legal Guide, "Top Lawyer," (2009-Present)
- American Bar Association
- Dade County Bar Association
- Board of Directors, Children's Home Society of South Florida
- Board of Directors, The Wellness Community

