

## John N. Muratides



Shareholder

Tampa Office

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### PRACTICE AREAS

Litigation & Dispute Resolution  
Construction  
Land Development, Zoning &  
Environmental  
Litigation - Land Use,  
Environmental & Property Rights  
Ad Valorem Tax  
Real Estate

### OVERVIEW

John Muratides is a Shareholder in the Litigation Department. Having practiced litigation exclusively since 1983, John has developed significant experience in a broad range of complex litigation practice areas. John has litigated in both state and federal courts and is admitted to practice in all federal district courts in the state of Florida. John's practice has been wide ranging, including complex disputes involving real estate, land development and property rights matters. He has represented developers, lenders, and property owners regarding development rights, construction litigation, lender liability defense, eminent domain, title and survey litigation, complex foreclosure litigation, commercial landlord-tenant disputes, covenant and easement disputes, and code enforcement litigation. He has also represented owners successfully challenging ad valorem tax assessments and denials of agricultural exemptions.

John's litigation experience also includes disputes involving business torts, creditors' rights, receiverships, premises liability, intellectual property rights litigation, products liability defense, and employment discrimination defense.

Prior to joining the Firm, John served as a law clerk for The Honorable Howell W. Melton, United States District Court for the Middle District of Florida, 1981-1983.

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## REPRESENTATIVE EXPERIENCE

### Real Estate Litigation

Restrictive covenants, title insurance claims, tax deed litigation, boundary disputes, easements, and condominium association and HOA disputes.

Obtained multimillion dollar foreclosure judgments for major institutional lenders in actions against borrowers and guarantors in complex foreclosures, and obtained appointment of receivers pendente lite, involving commercial properties, condominiums and apartment projects.

Represented mortgagee in apportionment dispute over claim in eminent domain action in excess of \$4.5 million resulting from FDOT's taking of property involving numerous national tenants and owner of major shopping center.

Represented developers and property owners in the enforcement of restrictive covenants contained in recorded declarations.

Successfully resolved claims surrounding "fractured" condominiums and the assignment of developer's rights.

Experience in challenging ad valorem tax assessments for property owners before value adjustment board as well as in state court litigation.

Successfully represented owner in obtaining agricultural classification ("greenbelt exemption") for owner's use of property in raising exotic birds (aviculture), a case of first impression in the State of Florida.

Successfully represented owner in challenging denial of agricultural classification for multi-acre property resulting in reduction in assessed valuation of over \$1 million.

Represented owner in applying for refund of ad valorem tax payment as a result of tax appraiser's misclassification of waterfront marina after constitutional amendment was passed providing for special tax treatment of waterfront marinas.

Represented owner in successfully overturning denial of agricultural use classification ("greenbelt exemption") for 16-acre tract of property resulting in over \$3 million reduction in assessed valuation.

Guided property owners in developing best practices for good faith agricultural use of land to maintain greenbelt exemption.

Represented owner asserting claims against county for failure to maintain stormwater drainage system injuring owner's property.

Prosecuted and defended claims for express and implied easements, and actions involving boundary disputes.

Represented property owners in actions quieting title to real property.

Represented owners in turnover of control issues under Florida law regarding homeowners associations as well as condominium associations.

Represented owners in code enforcement proceedings in successfully avoiding code enforcement liens and associated fines.

Represented title insurance company defending title claims.

## **Construction Litigation**

Represented lenders, contractors, and property owners regarding construction lien claims.

Prosecuted claims for owners/developers regarding construction defects related to commercial design and build construction contracts.

Prosecuted claims involving the construction of a 36-hole golf course.

## **Commercial Litigation**

Successfully tried and obtained a judgment for \$1.7 million in a fraudulent conveyance action, and recovered these assets that were fraudulently transferred through a tangled and complex web of multi-party, multi-step international

transactions in an orchestrated scheme to defraud creditors.

Successfully defended brokers-dealers in securities arbitration proceedings against customer claims for alleged churning and alleged violation of rules governing suitability and “know-your-customer.”

Represented distressed debt purchasers and equity investors in acquisition of distressed collateral.

Successfully defended owners in premises liability claims.

Successfully obtained judgment after trial in excess of \$500,000 on breach of contract claim for title defect impairing marketable title.

Represented airline manufacturer in successful defense of breach of warranty claims.

Experience representing employers in defense of employment discrimination claims.

Prosecuted and defended claims seeking enforcement of covenants not to compete.

Represented foreign banking institution in successful recoveries on loans against foreign nationals utilizing The Hague Convention procedures.

Represented foreign nationals successfully executing on various assets in the United States against judgment debtors.

Lectured on topics affecting loan workouts, foreclosures, receiverships, lender liability and construction matters.

Successfully defended client in a lawsuit alleging breach of fiduciary duty claims brought by the Brazilian creditors of a former business associate in an aircraft parts brokerage business. The proposed order was granted in its entirety and the case was dismissed on the grounds of estoppel and statute of frauds.

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## PROFESSIONAL & COMMUNITY INVOLVEMENT

Greater Tampa Chamber of Commerce

Real Estate Investment Council (REIC), Tampa Bay

National Association of Industrial and Office Properties (NAIOP)

Tampa Bay Area Legal Services, Bay Area Volunteer Lawyers Program

Kiwanis Club of Tampa

Big Brothers Big Sisters of Tampa Bay, former volunteer

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## RECOGNITION

AV Rated by Martindale-Hubbell

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## PUBLICATIONS & PRESENTATIONS

Land Development News Update, Publications: [Florida Appellate Court Reverses Developer's \\$16.5 Million Award and Rules in Favor of County](#)

**Ad Valorem Tax News Update, Land Development News Update, Publications: [Should You Challenge Your Property Tax Assessment?](#)**

Stearns Weaver Miller News Update | August 2017

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**Land Development News Update, Publications: [Florida Appellate Court Confirms that Even Unusual Agricultural Uses Must be Greenbelted](#)**

Stearns Weaver Miller News Update | February 2017

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## NEWSROOM

**In the Media: [Foreclosure Looming - You Can Buy Time](#)**

Tampa Bay On-Line | | October 2008

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## EDUCATION

J.D., *magna cum laude*, American University Washington College of Law, 1981

B.A., with high distinction, Ohio Northern University, 1978

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## ADMISSIONS

Florida

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

United States District Court for the District of Columbia

United States Court of Appeals for the Eleventh Circuit

The Supreme Court of the United States