

Donell Andre Hicks



Shareholder

Miami Office

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PRACTICE AREAS

Construction

Litigation & Dispute Resolution

Insurance

Professional Liability Defense

Real Estate

Land Development, Zoning &

Environmental

OVERVIEW

Donell Andre Hicks is a Shareholder in the Firm and is Board Certified by The Florida Bar in Construction Law* since 2013. He practices in a variety of areas, including Litigation, Land Development, Zoning & Environmental, Real Estate, and Insurance. Donell provides support to a broad client base and his services are routinely sought out by construction clients for representation in complex disputes. He is a seasoned litigator who understands strategy and tactics, and applies his wide breadth of knowledge using a practical, results-oriented approach.

Donell is highly experienced in handling a range of disputes in all types of construction cases, including residential, commercial, condominium, and homeowner association (HOA) claims. He represents various construction industry professionals, including developers, property owners, contractors, subcontractors, architects, and engineers in transactional, litigation, mediation, and arbitration matters. His construction litigation experience includes disputes involving Design Professional Liability (including Chapter 471 and 481, Florida Statutes), Chapter 558 (Notice and Opportunity to Repair, Florida Statutes), construction defects, breach of contract, construction delays, and more.

**With only 7% of eligible members certified, Board certification is The Florida Bar's highest level of evaluation of a lawyer's competence and experience in a particular area of practice. It identifies lawyers with "special knowledge, skills and proficiency, as well as a reputation for professionalism and ethics." To achieve certification, a lawyer must endure rigorous examination and testing and be evaluated by their peers.*

REPRESENTATIVE EXPERIENCE

Represented The Louis Berger Group (WSP) against a subcontractor on a federal government contract wherein Louis Berger was awarded an \$860+ million Army contract modification to help supply temporary power in Puerto Rico and the Virgin Islands after Hurricane Maria.

Defense of Directors and Officers to protect the personal assets of corporate directors and officers, and their spouses, in cases alleging claims of breach of fiduciary duty and negligence.

Represented law firms, attorneys, accountants, insurance agents, and other professionals against claims of Errors and Omissions in malpractice cases.

Defense of gas station owner against environmental contamination litigation and agency action resulting from fuel spill and discharge from underground storage tank.

Represented aquaculture engineer against claims made by owners of a fish farm by analyzing the aquaculture engineering design and bio plan.

Defense of engineer in the design of a 4-story energy plant for Nova Southeastern University's Community Development District (CDD) to provide chilled water to the campus facilities.

Represented CHM Structural Engineers in the defense of a professional malpractice claim made by the One Ocean Condominium Association

Defense of Southwest Engineering & Design in the design of pickle ball courts for Riverwood Community Center.

Defense of engineer for the design of the City of North Miami Beach Norwood-Oeffler Water Treatment Plant where damages claimed were in excess of \$25 million.

Defense of company in complex construction delay case regarding the design and supply of equipment to construct a cement plant with alleged damages in excess of \$60 million.

Defense of Kobi Karp related to the standard of care in the design of a luxury South Beach condominium, with alleged damages in excess of \$45 million.

Defense of architect who allegedly miscalculated the true square footage of a luxury South Beach condominium, thus causing the owner lost profits in excess of \$40 million.

Defense of general contractor who built the Spring Valley residential subdivision to defend against a class action claim for failure to provide adequate stucco, with alleged damages in excess of \$11 million.

Represented numerous contractors, architects, and engineers (civil, structural, mechanical, electrical, plumbing, geotechnical, aquaculture, etc.) on single family, condominium, and commercial projects. Representative projects include:

900 Biscayne

1300 Ponce Condominium

Beach Club

Biltmore Condominium

Gansevoort Hotel

Icon Brickell

Mandarin Lakes

MEI Condominium

Porto Venezia Condominium

Tripletail Farms

Turnberry Ocean Colony

The Vue

Water Club North Palm Beach Condominium

Represented construction industry clients through the Florida Statute §558 process.

PROFESSIONAL & COMMUNITY INVOLVEMENT

The Florida Bar, Real Property, Probate & Trust Law Section (RPPTL), Construction Law Committee, 2006-Present

Litigation Subcommittee

All Ivy+, 2011-Present

President, 2017-Present

Board Member, 2011-2016

Gay and Lesbian Lawyers Association of South Florida (GALLA), Co-Chair, 2023-Present

Cornell University, Cornell Class of 1997, 2009-Present

Co-President 2017-Present

Class Council 2009-2016

Cornell Club of Greater Miami and the Florida Keys, 2011-Present

Past President & Board Member, 2015-Present

President, 2011-2015

Cornell Alumni Admissions Ambassador Network (CAAAN), 2002-Present

Co-Chair, 2017-Present

Chair, 2016-2017

Meritas' Black Lawyers Forum, 2022-Present

Cornell University Council, Ambassador, 2016-2020; 2022-2026

National Bar Association, 2014-2016

Board of Governors, Alternate, 2015-2016

Real Estate and Probate Law Section, Chair, 2015-2016

Real Estate and Probate Law Section, Membership Committee Chair, 2014-2015

The Florida Bar Leadership Academy, Fellow and Inaugural Class Member, 2013-2014

Greater Miami Chamber of Commerce, Leadership Miami

RECOGNITION

AV Preeminent® Top Rated Lawyer, *Martindale-Hubbell*

Gay and Lesbian Lawyers Association, Recognition Award, 2023

PUBLICATIONS & PRESENTATIONS

Events: **GALLA (Gay & Lesbian Lawyer's Assn.) Candidate Reception Social Mixer**

Miami-Dade Gay & Lesbian Chamber of Commerce | | July 2022

Events: **Residential Construction and Condominium Maintenance**

10th Annual Construction Law in Florida Conference | | October 2021

NEWSROOM

Firm Announcements: **Donell Hicks Honored with The Greater Miami LGBTQ Chamber Of Commerce's 2023 Gay and Lesbian Lawyers Association Recognition Award**

| November 2023

In the Media: **On the Move**

Law.com / Daily Business Review | | February 2021

Firm Announcements: **Stearns Weaver Miller Adds Litigator Donell Andre Hicks in Miami**

| January 2021

EDUCATION

J.D., The George Washington University Law School, 2000

B.A., Cornell University, 1997

ADMISSIONS

Florida

Maryland

District of Columbia

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

United States District Court of the District of Columbia

CERTIFICATIONS

Board Certified by The Florida Bar in Construction Law