

## Alberta L. "Ali" Adams

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### Overview

Ali Adams has over twenty years of commercial litigation experience, handling matters in state and federal court, and in arbitration. Her primary areas of practice are in surety, construction defect, bankruptcy, employment liability, and general commercial litigation. She possesses Martindale-Hubbell's AV rating, its highest rating for professional competence and ethics.

Ali graduated from Florida State University in 1990 with a bachelor's degree in Political Science. She then attended Tulane Law School, where she graduated magna cum laude and Order of the Coif in 1993. While at Tulane, Ali served on the Moot Court Board.

Ali has handled all aspects of construction defect and surety claims. Her experience includes the negotiation of tender and takeover agreements; negotiations with completion contractors; default, contract balance and recovery issues in the context of contractor bankruptcies; litigation with owners; indemnity and third party recovery actions; including actions against design professionals; and defense of payment bond claims. Ali has handled defaults on public and private projects ranging in size from \$100,000.00 to \$75 million. She further has significant experience in dealing with public bodies such as the United States Army Corps of Engineers, departments of transportation and development, housing authorities, dock boards and port authorities, school boards, and state universities. Ali is admitted to the United States Court of Federal Claims.

Ali's practice also includes significant bankruptcy experience representing creditors in pursuing secured claims, securing DIP financing, representing competing plan proponents, litigating plan issues, defending preference actions, lifting the automatic stay and protecting cash collateral, and litigating adversary proceedings, including objections to discharge ability.

Ali's employment practices experience includes the defense of age and gender discrimination and wrongful termination claims, and enforcement of employee non-competition agreements.

Ali has also handled a wide-range of commercial disputes including lease disputes, partnership dissolution, and agent misrepresentation claims.

In addition to her commercial litigation practice, Ali has provided pro bono legal service to children in abuse and neglect cases for over ten years.

In 2006, Ali joined Mills Paskert Divers. Her practice includes construction, fidelity and surety, employment practices and general commercial litigation, and bankruptcy.



In 2008, Ms. Adams was selected to be one of only 25 attorneys admitted to the ABA Tort & Insurance Practice's Leadership Academy.

## Practice Areas

Alternative Dispute Resolution  
Complex Commercial Litigation  
Creditors' Rights and Bankruptcy  
Employment Liability  
Suretyship

## Admitted to Practice

All Florida State and Federal Courts  
All Louisiana State and Federal Courts  
All Mississippi State and Federal Courts  
United States Supreme Court  
United States Fifth Circuit Court of Appeals  
United States Eleventh Circuit Court of Appeals  
United States Court of Federal Claims

## Education

Florida State University, B.S., 1990, *cum laude*  
Tulane University of Louisiana, J.D., Order of the Coif, 1993, *magna cum laude*

## Professional Involvement

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## Professional, Trade, and Philanthropic

## Affiliations

American Bar Association  
Tort and Insurance Practice Section  
Fidelity and Surety Law Committee  
Co-Chair of the Young Professionals Subcommittee  
(2006-2008)  
Membership Chair of the Young Professionals  
Subcommittee (2005-2006)  
Litigation Section  
Forum on the Construction Industry

The Florida Bar  
Trial Lawyers Section

The Hillsborough County Bar Association  
Trial Lawyers Section  
Construction Law Section

Gulfcoast Fidelity and Surety Institute

Surety Claims Institute

## Selected Honors & Recognitions

American Lawyer Media and Martindale Hubbell 2015 Top Rated  
Litigator  
Martindale Hubbell, AV-Rated

## Publications & Speaking

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### Selected Publications

Co-Author, "Recent Developments in Fidelity and Surety Law," in *Tort Trial & Insurance Practice Law Journal*, Winter 2007, Volume 42, Number 2.

Co-Editor and contributing author, "The Surety and Bankruptcy," American Bar Association Tort Trial & Insurance Practice Section, 2010.

### Selected Speaking Engagements

Approved Continuing Education Instructor with the Florida Division of Insurance Agent and Agency Services and has provided in-house CE courses for clients.

"ON STORMY SEAS - NAVIGATING COMPLEX SURETY CLAIM ISSUES: Impact of Bankruptcy Filings on Claims Handling, Pursuit of Contract Funds, and Indemnity Claims; and the Impact of the Death of the Economic Loss Rule on Surety Claims," May 8, 2013.

"Pursuing the Third Party Pocket -- Recovery by the Surety Against Design Professionals, Agents, CPAs and Others," Southern Surety and Fidelity Claims Conference, 2000.

"The Uncooperative Owner: the Surety's Defenses When the Owner Unilaterally Completes, Overpays, or Otherwise Misbehaves, with Ms. Courtney Wolffe of Zurich, NA," Southern Surety and Fidelity Claims Conference, 2001.

Speaker at a National Business Institute Seminar on Bankruptcy Law, 2001.

"Strategies for Direct and Cross-examination, International Association of Defense Counsel," Fidelity and Surety Law Committee's Mid-Winter Meeting, January, 2004.

"When the Principal gives you Lemons, Make Lemonade – Turning the Principal's Chapter 11 filing to the Surety's Advantage," Southern Surety and Fidelity Claims Conference, 2004.

"Third Party Recovery," Gulfcoast Fidelity & Surety Conference, May, 2004.

"Bonding Shipyard Construction, or How to Tell the Home Office the Project has been Towed to Mexico," with Mr. David Krebs, Southern Surety and Fidelity Claims Conference, 2005.

"Beyond the Bounds of the Bond – A Surety's Exposure to Extra-Contractual Damages", Gulfcoast Fidelity & Surety Conference, May,

Workshop on Complex Payment Bond Claim Issues, Fidelity and Surety Law Committee's Spring Meeting, May, 2006.

"Force Majeure Clause in Relation to Recent Hurricanes," Southern Surety and Fidelity Claims Conference, 2006.

"Selling the Surety Case – Effective Use of Expert Witnesses," Fidelity and Surety Law Committee's Mid-Winter Meeting, January 2007.

Moderator, "The Butterfly Effect: How Surety and Fidelity Claims Handler's Responses Shape Perceptions," Fidelity and Surety Law Committee's Mid-Winter Meeting, January 2008.

"THE COURTHOUSE TWO-STEP-FORUM SHOPPING, REPETITIVE AND REACTIVE LITIGATION," Surety Claims Institute.

"Bankruptcy and the Surety," Fidelity and Surety Law Committee's Spring Meeting, 2010.



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