



## Jenna Fischman

Partner  
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Jenna's practice focuses on commercial litigation and appeals, with an emphasis on resolving significant business disputes throughout all stages of a case. Jenna capitalizes on her experience as both a litigator and appellate attorney to provide full-service assistance for her clients, including Fortune 500 businesses in the real estate and hospitality industries. Her services include consultation and transactional advice, assistance throughout litigation, trial support, and appeals.

Throughout the United States, Jenna has had tremendous success in obtaining dismissals based on forum-selection clauses, under the federal common-law doctrine of *Forum Non Conveniens*, and based on lack of personal jurisdiction. Jenna's jurisdictional experience has been integral to her clients' businesses that involve international components, and were in need of a national defense strategy.

In addition, both as an appellate trial support consultant and litigator, Jenna has prevailed in jury and bench trials in federal court and Florida state courts, and Florida's District Court of Appeals.

Jenna earned her Bachelor's Degree from Northwestern University, law degree from the University of Florida, Levin College of Law, and post-graduation, served as a federal law clerk for Judge Jonathan Goodman of the Southern District of Florida.

### Services

- Litigation
- Appellate | Legal Issues

### Education

- University of Florida Levin College of Law (J.D., *with honors*, 2012)
  - University of Florida Law Review, articles editor
- Northwestern University (B.A., 2009)
  - History, Political Science

### Bar Admissions

- Florida

## **Court Admissions**

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

## **Affiliations/Memberships**

- Miami Dade Florida Association for Women Lawyers, Member (2024)
- Northwestern University Club of Southeast Florida, Young Alumni Director (2018–2019)
- Federal Bar Association, South Florida Chapter, Member (2018)
- Dade County Bar Association Young Lawyers Section, Director (2013–2017)

## **Distinctions**

- *Best Lawyers*®
  - "Ones to Watch" in Commercial Litigation (2021-2024)

## **Experience**

### **Ina Kaplan v. Hyatt Hotels Corporation**

Prevailed for foreign resort clients based on lack of personal jurisdiction. The Eastern District of New York determined that jurisdiction could not be established by booking a stay on a hotel website from New York, as this booking lacked a sufficient connection to the plaintiff's injuries in Jamaica at the Jamaican resort.

### **Ekpo v. Playa Mgmt. USA, LLC**

Prevailed for foreign resort clients on a motion to dismiss for *forum non conveniens* stemming from a forum-selection clause.

### **Samsung SDI Co. v. Hildreth**

Prevailed for Appellee in reversing trial court's denial of a motion to dismiss for lack of personal jurisdiction regarding a Florida resident's action stemming from an alleged vaping injury from misusing Appellee's batteries.

### **Fasang-Brown v. Visit Us, Inc.**

Secured affirmance of a trial court's order granting the defendant's *forum non conveniens* motion where the U.S.-based plaintiffs alleged a premises-liability claim arising out of a foreign hotel.

### **Rosedown Racing Stables, LLC v. Goldthorpe**

Obtained a dismissal under Federal Rule of Civil Procedure 41(b) for an equine insurance broker, who was sued by a former client regarding insurance premiums for his racehorses.

### **Ballard v. Boca Ciega Inv'rs, Inc.**

Secured affirmance of a trial-court order compelling enforcement of mandatory arbitration provisions contained in nursing-home residency agreements and participated in oral argument in front of the Second District Court of Appeal.

**Schmidt v. Wash. Newspaper Publ'g Co., LLC**

Defeated, with prejudice, a forum-shopping plaintiff's attempts to assert defamation claims against a D.C.-based newspaper and website publisher, after previously having defeated the same plaintiff's claims on the same alleged defamation claims in Florida federal court and Delaware state court.

**McCasland v. Pro Guard Coatings, Inc.**

Secured affirmance of a defense summary judgment in an alleged products-liability action. The result was a defense final judgment as a matter of law in favor of the manufacturer of a paint-based roof-patching material.

**Samsung SDI Co. v. Hildreth**

Obtained reversal of the trial court's orders denying Samsung SDI Co., Ltd.'s motions for protective order regarding plaintiff's attempts to include upfront sharing provisions in confidentiality orders.

**Mario Capone v. Joseph Klock**

After a three-day jury trial, obtained a complete verdict for plaintiff dry cleaner for damages stemming from breach-of-contract-related claims.

**Mana v. Cho**

Prevailed on a petition for writ of certiorari for a developer against his real estate brokers. The Third District quashed the trial court's discovery order compelling the developer to produce his personal financial information, such as tax returns and income statements, to the defendant real estate brokers. The Third District held that the developer's personal financial information was not relevant for discovery purposes since he sought as damages only the difference between the contract price and fair market value of land, and not compensatory damages.

**Robert Darenberg v. Headhunter, Inc.**

Prevailed on a Federal Rule of Civil Procedure 50 Motion for Judgment as a Matter of Law for the Defendant in a case stemming from an alleged violation of the Age Discrimination in Employment Act, 29 U.S.C. § 621, et seq. regarding a failure to hire due to age. After a two-day jury trial, United States District Judge William Zloch granted defendant's motion for judgment as a matter of law at the close of the evidence and entered judgment in favor of the defendant.

## Publications

April 2012

**The Cloud over Florida's Sunshine Laws: Public Forum Doctrine and The Curtailment of Free Speech at City Council Meetings**

University of Florida Journal of Law & Public Policy