

Alice R. Huneycutt



Shareholder

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PRACTICE AREAS

Litigation & Dispute Resolution

Land Development, Zoning &

Environmental

Litigation - Land Use,

Environmental & Property Rights

Real Estate

Banking & Financial Institutions

Construction

Hospitality & Leisure

OVERVIEW

Alice Huneycutt is a Shareholder in the Litigation Department. She has served as lead trial counsel for three decades in state and federal courts in Florida (both jury and non-jury cases), as well as in arbitrations and administrative hearings. Alice has briefed and argued appeals to Florida appellate courts and in the federal system to the United States Court of Appeals for the Eleventh Circuit.

REPRESENTATIVE EXPERIENCE

Representation of owners, lenders, and contractors in construction disputes (litigation, arbitration and settlement), including construction defects (highways, curtain-wall of high-rise building, grade and paving projects, faulty construction and numerous other defective work), termination of contract, proper payment defense, lien disputes, bond issues and delay damages. Litigated breach of road maintenance agreement, negotiated multiparty agreement between governmental entity and private parties for construction contract involving testing of water penetration into elevated structure, cathodic protection, replacement of waterproof membrane and installation of new roadway on surface of elevated structures.

Real estate litigation experience includes title insurance claims, quiet title suits, boundary disputes, tax deed litigation, and matters involving specific performance, survey errors, prescriptive easements, submerged lands, restrictive

covenants and condominium/homeowner association disputes.

Extensive lease dispute experience, including defaults for economic and non-economic covenants; defense of claims against landlord for breach of covenants, including condition of premises, sick building, and use of appurtenances; disputes regarding operating expenses, BOMA calculations and audits of operating expenses; security issues; failure of landlord to maintain generators/UPS to support critical technology.

Land use litigation experience includes challenges related to Florida's Growth Management Act, consistency claims, zoning, economic redevelopment issues, DRI matters and historical designation.

Litigated purchase and sale of real property issues including specific performance, right of first refusal issues, options, and recovery of deposits.

Extensive experience in handling complex real estate foreclosures, including residential condominium projects, condominium conversions, office buildings, shopping centers, hotels, apartment complexes, housing developments, golf courses, low-income housing, recreational/yacht clubs, office condominiums, truck stops, convenience stores, restaurants, franchised operations and raw land with sensitive development and environmental issues. Handles cases involving complex loan documents, including syndicated loans, bond financing, REMIC transactions, mezzanine financing, derivatives/swap agreements, and intercreditor agreements.

Has litigated all types of guaranties: absolute and unconditional, guaranties of payment, guaranties of collection, limited recourse, violation of bad boy acts, performance guaranties, and completion guaranties. Experienced in trial preparation of forensic accounting to demonstrate misapplication of cash collateral to establish bad boy acts.

Extensive experience in lender liability cases in state and federal court, including breach of fiduciary duty, fraud, tortious interference negligent misrepresentation, usury, lack of good faith, Fair Debt Collection Practices Act, antitrust, claims for improper structure of mezzanine debt and senior debt, dishonor of letters of credit, negligent wiring activity, and money laundering related claims. Has significant experience litigating cases involving letters of credit, FedWire regulations, SWIFT, Ponzi schemes, foreign monetary exchange, securities-related matters, investment advisory issues related to the debt structure of mezzanine financing and senior debt, and Bank Security Act issues.

Handles franchisee litigation and franchise agreements pledged as security. Alice was formerly in-house counsel for Burger King Corporation handling franchise litigation nationally, and all types of issues in the development of sites and real estate disputes.

PROFESSIONAL & COMMUNITY INVOLVEMENT

American Bar Association: Section of Litigation and Section of Business Law

The Florida Bar: Business Law Section

The Association of Trial Lawyers of America

Hillsborough County Bar Association

Florida Association for Women Lawyers (FAWL)

Hillsborough Association of Women Lawyers (HAWL)

Meritas, Firm Representative

RECOGNITION

Florida Bar Association: President's Pro Bono Service Award 1987

PUBLICATIONS & PRESENTATIONS

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

Stearns Weaver Miller News Update | December 2017

Events: [Speaker at numerous seminars on creditor's rights, real estate, foreclosures, leasehold mortgages, receiverships and lender liability](#)

| December 1993

EDUCATION

J.D., University of Miami School of Law, 1979

B.A., Duke University, 1972

ADMISSIONS

Florida

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

United States Court of Appeals for the Eleventh Circuit