John A. Howard

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Office Location: West Palm Beach

John A. Howard, a partner in West Palm Beach, has tried over 70 jury trials to verdict in both Florida and New York state courts. Representing general contractors, subcontractors, and material suppliers, he has litigated a substantial number of construction defect cases in South Florida for more than a decade.

John is admitted to the courts of New York, Florida and Connecticut. He earned a juris doctor, *magna cum laude,* from St. John's University School of Law where he was a member of the Law Review and Executive Director of the Civil Trial Institute. John obtained a master's degree from the University of Massachusetts at Amherst and an undergraduate degree from Bridgewater State University.

Education:

- J.D., *magna cum laude*, St. John's University School of Law
  - Dean's List
  - St. John's Law Review
  - Executive Director of Civil Trial Institute
- M.S., University of Massachusetts
  - Teaching Assistant
- B.S., Bridgewater State University

Practice Areas:

- Construction Litigation
- Automobile Litigation
- General Liability & Casualty
- Premises Liability
- Products Liability
- Trucking Litigation

Bar Admissions:

- Connecticut, 1994
- New York, 1995
- Florida, 1996

Representative Experience:

- *Freemond v. Branson, et al.*
  - The suit was based upon a claim of construction defects, breach of contract, fraudulent and negligent misrepresentation and negligence. The jury ruled for the defendant on the fraud, breach of contract and fraudulent misrepresentation claims. In regard to the negligent misrepresentation claim, the jury found the defendant 20 percent at fault and the plaintiffs 20 percent at fault. The net verdict was less than 10 percent of the pre-trial demand and less than 5 percent of the demand of plaintiff in closing.

- *Horkott v. Palm Beach Mall, et al.*
  - The suit was based upon a trip and fall in the common areas of a local mall allegedly due to a "screw" left in the floor by a former vendor. The jury found negligence on the part of three of the six defendants represented in an amount of less than one-half of the last demand prior to trial and less than 20 percent of plaintiffs' jury demand.

- *Puglia v. Saekow*
  - The incident at issue arose out of a motor vehicle accident with a claim of serious physical injury including permanency and the need for cervical surgery. The jury found that the plaintiff had not suffered a permanent physical injury and awarded a monetary amount which was half of the amount of medical bills claimed by the plaintiff, thus indicating that the second half of plaintiff's treatment which occurred just prior to trial was unrelated to the accident at issue. A Proposal for Settlement had been filed for the defendants' policy limits of $10,000 do

Publications:

- *Adapting Due Process to Match Your Tort*: In Re: DES: A Novel Approach to Jurisdiction, 67 St. John's Rev. 655 (1993)

Speaking Engagements:

- "Florida Construction Litigation From The Top To The Bottom - 2024," Co-Presenter, Conroy Simberg Webinar, April 2024
- "Construction Litigation Updates 2023," Co-Presenter, Conroy Simberg Webinar, April 2023
- "Florida Construction: We Are Open For Business," Co-Presenter, Conroy Simberg Webinar, April 2022
- "In Florida, Construction is Zooming 2021," Co-Presenter, Conroy Simberg Webinar, April 2021
- "Once Upon A Time in Florida: Construction Defect Litigation 2020," Co-Presenter, Conroy Simberg Webinar Series, May 2020
- "A Suit Is Born...Construction Defect Litigation In Florida," Co-Presenter, Conroy Simberg Webinar Series, April 2019
- "Hot Topics in Construction Law 2017," Conroy Simberg Webinar, November 2017
- "Make Your Construction Defense Great Again," Conroy Simberg Annual Claims Management Seminar, May 2017
- "Subrogation," April 2017
- "The Contractor Strikes Back: The Return of a Winning Construction Defense Plan," Conroy Simberg Annual Claims Management Seminar, May 2016
- "The Deconstruction of Construction: Defect Claims and Defenses," May 2015
- "Claims Handling Considerations When Coverage Issues Are Present - Don't Let the Fine Print Result in a Faux Pas!," Conroy Simberg Annual Claims Management Seminar, May 2015
- "Fact or Fiction," Construction Defects Litigation
- "What the Heck Is It and Why You Need to Know About It," Medicare Set Aside
- "Playing Both Sides of the Broken Fence," A Blueprint for the Defense of General Contractors and the Offense Against the Subcontractors in Construction Litigation

Community Involvement:

- Jupiter / Tequesta Athletic Association Basketball, Former Coach, and Board of Directors Member, 2006-2023
- High School Assistant Basketball Coach - Cardinal Newman High School, 2024- present