



HARLEY S. TROPIN

Partner

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PRACTICE AREAS

Complex Litigation
Fraud and Ponzi Schemes
Corporate Shareholder and
Partnership Disputes
Legal Malpractice Defense
Class and Group Actions
Complex Health Care Litigation

KOZYAK
TROPIN
THROCKMORTON

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Harley Tropin is President of Kozyak Tropin & Throckmorton and concentrates his practice on high stakes business litigation.

Harley was recognized by the American Jewish Committee for his outstanding legal work and community contributions with the 2016 Learned Hand award. He has been recognized by Best Lawyers in America since 1989 and is in the top-tier litigation category, “Bet-The-Company Litigators.” He has been awarded “Lawyer of the Year” for Miami Mass Tort Litigation/Class Actions (2014 - 2019). Chambers USA places him in its top “Tier 1” ranking and describes Harley as “one of the deans of the Florida Bar” and “a tremendous oral advocate - he’s a very savvy and smart lawyer who knows which buttons to push and when.” He is also listed in Florida Super Lawyers, Florida Trend’s “Legal Elite,” and one of fifty Florida Lawyers named to the Legal Elite Hall of Fame. He is a member of the American Board of Trial Advocates, a Fellow of the International Academy of Trial Lawyers, and a member of its Board of Directors. Harley is also a member of the Federal Judicial Nominating Commission.

While the majority of Harley’s practice now focuses on representing plaintiffs, he regularly represents businesses and law firms in their most serious and challenging commercial cases.

Harley lectures on a variety of issues in commercial litigation, including the management of complex litigation, the presentation of damages in commercial litigation, trial advocacy techniques, and fraud prosecution. He has chaired the NITA/Federal Court Program on trial advocacy, lectures at the annual University of Miami Class Action Forum, and regularly speaks at seminars and programs concerning the judicial appointment process.

Harley authored Florida Business Torts, a Lexis Nexis book published in March 2006, and the injunction chapter for Florida Civil Practice Before Trial, a standard Florida litigation text. He teaches trial advocacy at the University of Miami School of Law, and has served on the boards of the Greater Miami Jewish Federation, Temple Beth Am and the American Jewish Committee.

Harley is a passionate advocate for greater access to mental health services. He chaired the University of Miami Department of Psychiatry and Behavioral Sciences Advisory Board from 2014-2018, has helped raise funds for a Day Treatment Medical Center for mental health patients, and represents the department on a pro bono basis on legal issues involving mental health concerns.

Harley also has served on the Florida Supreme Court Committee on Gender Bias and Diversity and is an integral part of the KTT commitment to diversity in the workplace and community.

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RESULTS

Fraud and Ponzi Schemes

Harley represented more than seventy investors, who collectively lost \$190 million investing with Ft. Lauderdale lawyer Scott Rothstein, who ran a Ponzi scheme, based on selling fictitious structured settlements. Typical recoveries in these cases range from 10-30%. Harley and his team recovered over 95% of losses, and are now seeking attorney's fees, the remainder of the damages and positive damages.

Corporate Disputes

Harley successfully represented a New York investor, and his closely held corporation, in a \$2.5 billion dispute with his CEO (and nephew) over entitlement to the proceeds of the sale of his oil and gas venture. After the sale, the CEO sued in multiple courts, arguing entitlement to half the proceeds, on the theory that he was a general partner of the venture. Harley and his team defeated the claims entirely, while obtaining sanctions against the CEO for discovery abuses, and recovering a favorable monetary settlement of the counterclaim.

Legal Malpractice Defense

Harley successfully represented a large Florida law firm, which was sued for malpractice relating to a resort development. He successfully argued that the claim was legally defective, resulting in a resolution of the claim, which included a public statement by the plaintiff admitting the law firm had done nothing wrong and affirming that the legal services rendered by the law firm were excellent.

Class Actions

On behalf of 700,000 physicians, and their medical societies, including Texas Medical Association, the California Medical Association and others, Harley acted as co-lead counsel in a national class action against the major HMOs including Aetna, Cigna, Humana and others for systematically denying doctors reimbursement for services provided to patients by down coding medical services through the use of their computerized reimbursement procedure. The case resulted in the recovery of billions of dollars both in actual cash payments to the doctors, and improved reimbursement procedures and dispute resolution methods.

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