



JEFFREY S. HAUT

ASSOCIATE



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Jeffrey S. Haut has a litigation practice focused on counseling corporate clients, non-profits, governmental entities, and individuals through a broad range of trial and appellate litigation matters in both state and federal court.

Jeffrey routinely represents clients in complex business and commercial litigation cases, including those involving breaches of contracts and promissory notes, shareholder and partnership disputes, breaches of fiduciary duty, securities and financial fraud, tortious interference, trade secrets, and violations of restrictive covenants. Jeffrey also has experience representing clients in construction litigation matters, real property disputes, land use and zoning disputes, and condominium disputes.

In the constitutional litigation arena, Jeffrey represents governmental entities and individuals in trial and appellate matters arising under the United States Constitution and Florida Constitution. This includes defending alleged civil rights violations under 42 U.S.C. § 1983, bringing and defending inverse condemnation claims, and assisting individuals in proceedings involving alleged violations of the First and Second Amendments to the United States Constitution.

On a national scale, Jeffrey represents clients responding to data breaches, cybersecurity incidents, real estate closing and wire transfer fraud, and business email compromise schemes. When a crisis occurs, Jeffrey acts as a “breach coach.” Jeffrey evaluates his clients’ potential legal liability to customers or governmental agencies, assesses the possibility of legal recourse against the responsible parties, directs forensic network investigations, coordinates with law enforcement, and advises his clients about any breach notification or regulatory reporting obligations under federal and state data security and privacy laws.

Representative Experience

- In consolidated appeals raising First and Second Amendment issues, successfully overturned injunctions improvidently entered against property owner pursuant to Section 784.0485, Fla. Stat. in connection with ongoing business dispute. Reported as: *Carl Laquidara v. Mark Duane Houghtaling*, Case No. 2D19-3372, -- So. 3d -- (Fla. 2d DCA 2021) and *Carl Laquidara v. Denise Spaniak Houghtaling*, Case No. 2D19-3372, -- So. 3d -- (Fla. 2d DCA 2021).



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- Assisted in successful defense of municipality in related inverse condemnation appeals, holding that nuisance exception under *Keshbro v. City of Miami*, 801 So. 2d 864, 869 (Fla. 2001) applied to landowner's claims and precluded entitlement to compensation under Florida Constitution and United States Constitution following one-year closure of landowner's grocery store pursuant to nuisance abatement board order. Reported as: *Abu-Khadier v. City of Fort Myers*, 312 So. 3d 975 (Fla. 2d DCA 2020) and *Abu-Khadier v. City of Fort Myers*, 313 So. 3d 704 (Fla. 2d DCA 2020). *Petition for writ of certiorari to Florida Supreme Court pending.*
- Assisted in successful motion to remand inverse condemnation proceeding to state court on the basis that statutory exception to requirement that notice of removal be within 30-days of service, which allowed for removal if initial case was not removable, did not apply to defendant's notice to remove. Reported as: *Myakka River Resort, LLC v. City of North Port*, 469 F. Supp. 3d 1323 (M.D. Fla. 2020).
- Obtained unanimous opinion without oral argument, holding that two international, non-resident defendants waived their timely objections to personal jurisdiction by seeking affirmative relief in the form of attorneys' fees in their motions to dismiss. Reported as: *TBI Caribbean Co. Ltd. v. Stafford-Smith, Inc.*, 239 So. 3d 103 (Fla. 3d DCA 2017).

Publications & Speaking Engagements

- Panelist, "Cyber Liability Insurance 101," Entech Webinar, June 2021.
- Interview, NBC-2 and ABC 7- News, "Social Media Threats," April 2021.
- Co-Author, "Florida's New Covid-19 Liability Protection Law," Hahn Loeser Legal Alert, April 2021.
- Interview, NBC-2 and ABC-7 News, "Recording in Classrooms," February 2021.
- Interview, NBC-2 News, "Supreme Court," December 2020.
- Author, "Under Color of State Law (Municipal Liability Under 42 U.S.C § 1983): Part One – A Historical Primer", Adverse Witness, Collier County Bar Journal, March 2020.
- Interview, NBC-2 News, "Emotional Support Chickens," December 2019.
- Interview, NBC-2 News, Political Committee Petitioning to Have Voters Vote Twice on Amendments, December 2019.
- Interview, NBC-2 News, Amendments to Florida's "Red Flag" Law, August 2019.
- Speaker, "Cybersecurity for Real Estate Professionals," Naples Area Board of Realtors Broker Forum, February 2019.
- Speaker, "Cybersecurity, Data Breaches, and Privacy Laws," Avow Continuing Education, October 2018.

- Speaker, "Data Breaches," Collier County Bar Association Real Estate Section, October 2018.
- Speaker, "Cybersecurity & Identity Theft," Moorings Park Center for Healthy Living, September 2018.
- Speaker, "Cybersecurity & Data Intrusion Protection," National Academy of Elder Law Attorneys Annual Conference, May 2018.
- Speaker, "EU General Data Protection Regulation 2016/679 (GDPR)," Organizational Privacy Summit, May 2018.
- Speaker, "Cybersecurity: Is There Any? Exploring Established Norms in Cyberspace," Naples Men's Discussion Group, January 2018.
- Author, "Commentary: Securing Sunshine: How to Better Protect Online Public Records," Naples Daily News, December 2017.
- Speaker, "We've Been Hacked!: A Crash Course in Data Breaches and Cyberattacks," Bonita/Estero Estate Planning Professionals, November 2017.
- Panelist, "ID Theft and Scams Forum," Identity Fraud Institute at Hodges University, October 2017.
- Speaker, "Hacked!: A Big Problem For Small Publications," Pennsylvania NewsMedia Association, August 2017; National Newspaper Association, July 2017.
- Author, "Commentary: New Ransomware Attack Deserves Attention," Naples Daily News, July 2017.
- Co-Author, *Bottoms Up: A Comparison of "Voluntary" Cybersecurity Frameworks*, 16 U.C. Davis Business Law Journal 101 [Ed. 2] 2016.

Professional History

- Associate, Hahn Loeser & Parks LLP, 2019-present.
- Attorney, Vernon Litigation Group, 2016-19; Summer Associate, 2015.
- Summer Law Clerk, Office of Hon. Christine Greider, 20th Judicial Circuit for Collier County, 2014.

Admissions

- State of Florida.
- Supreme Court of the United States
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. District Court for the Middle District of Florida
- U.S. District Court for the Southern District of Florida
- U.S. District Court for the Northern District of Florida



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Education

- Indiana University Maurer School of Law, J.D., 2016.
 - Honors & Activities: Mauer Fellowship; Sherman Minton Moot Court Competition Executive Board, Executive Judge Coordinator; Dean's Advisory Committee; Center for Applied Cybersecurity Research, Intern.
- Florida Gulf Coast University, B.A., *magna cum laude*, Political Science, 2013.

Memberships & Affiliations

- Appellate Practice Section of The Florida Bar, Member.
- International Association of Privacy Professionals (IAAP), Member.
- America Inns of Court Michael R.N. McDonnell Chapter, Member, 2016-present; Team Co-Captain, 2018-19.
- Lee County Bar Association, Member.
- Collier County Bar Association, Member.
- Associate Leadership Collier™ (formerly Growing Associates in Naples (GAIN)™) The Greater Naples Chamber of Commerce, Class of 2019
- Youth Leadership Collier™, The Greater Naples Chamber of Commerce™, 2008.

Awards & Distinctions

- AV Preeminent® Rating, Martindale-Hubbell.
- *Best Lawyers*® Ones to Watch: Appellate Practice (2022), Privacy and Data Security (2022), Commercial Litigation (2021-2022).
- Top Lawyers, *Naples Illustrated*, Appellate Practice (2021), Commercial Litigation (2019).
- "40 Under 40" Honoree, *Naples Herald*, 2018.