



## Russell S. Buhite

Russell S. Buhite is experienced in life, health and disability insurance coverage litigation, including ERISA matters. His practice also includes the defense of agents and brokers regarding sales practices, suitability of annuities and life products, and other errors and omissions litigation.

### Representative Experience

- Lawrence v. Pioneer Plastics, Middle District of Fla. ERISA matter. Verdict for defense.
- McDaniel v. AIG Life Ins. Co., Hillsborough County Circuit Court. Jury verdict for defense in disability case.
- Weiss v. Western and Southern Life Ins. Co., Middle District of Fla. ERISA matter. Judgment for defense.

### Presentations and Publications

#### Presentations

- "Directors and Officers Liability Insurance," Speaker, Fowler White Boggs Banker Business Department Seminar, September 2007
- "Insurance Coverage Law in Florida," National Business Institute, 1994, 1995, 1996, 1997

#### Publications

- "ERISA Survey of Federal Circuits," Eleventh Circuit Section, Co- Author, published by ABA, Tort Trial and Insurance Practice Section, Health and Disability Insurance Law Committee (Brooks Magratten, ed. 2005); and 2007 edition
- "Watts v. Bell South Telecommunications," Author, The 11th Circuit Breaks From the Pack on Exhaustion of Administrative Remedies, TIPS Committee News, ABA-TIPS Health & Disability Insurance Law Committee, Spring 2003
- "The Facts of the Matter - Standard of Review of ERISA Plan Administrator's Factual Determinations," Author, Life and Health News, Defense Research Institute, Summer, 1996
- "Insurance Policy Application Misrepresentations and their Consequences Under Florida Law," Author, 15 *Trial Advocate Quarterly*, No. 2, April 1996
- "Appraising the Appraisal Process," Author, 14 *Trial Advocate Quarterly*, No. 2, April 1995
- "Recent Development, Random Urinalysis and the Fourth Amendment, Can They Coexist?," Author, 33 *J.Urb. & Contemp. L.* 801, 1988

### Professional Affiliations

- American Bar Association: Chair-Elect, Tort Trial and Insurance Practice Section-Health & Disability Insurance Law Committee, TIPS; ABA/TIPS Law and Public Service "Project Outreach" Peer Mediation Program; Litigation Section
- Association Internationale de Droit des Assurances - U.S. (AIDA-U.S.); AIDA Reinsurance and Insurance Arbitration Society (ARIAS-U.S.)
- Defense Research Institute: Life, Health and Disability Insurance Committee
- Florida Defense Lawyer's Association
- Hillsborough County Bar Association
- N.I.T.A. Course in Trial Advocacy: Graduate, Midwest Regional, Chicago,



### Shareholder

#### ERISA Litigation Practice Group Leader

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### Practice Areas

ERISA Litigation  
Health Care / Managed Care  
Insurance Litigation and Regulation  
Securities and Financial Services  
Litigation

### Industries

Construction  
Insurance  
Insurance Company Regulation and  
Litigation  
Professional Liability  
Professional Services  
Transportation and Logistics

### Education

J.D., Washington University in St. Louis  
School of Law, 1987 (Associate Editor,  
*Journal of Urban and Contemporary  
Law*)

B.A., *cum laude*, Rice University, 1984

### Bar Admissions

Florida  
Georgia  
Missouri  
Oklahoma



## Russell S. Buhite

January, March, 1989

### Community Involvement

- Bay Area Legal Services: Pro Bono Law Project
- National Multiple Sclerosis Society, Mid-Florida Chapter: Board of Trustees, Secretary

### Distinctions

**AV Peer Review Rated** by Martindale-Hubbell

**Florida Super Lawyers**, 2006-2007

### Court Admissions

U.S. Court of Appeals, Tenth Circuit  
U.S. Court of Appeals, Eleventh Circuit  
U.S. District Court, Middle District of Florida  
U.S. District Court, Northern District of Florida  
U.S. District Court, Southern District of Florida  
U.S. District Court, Western District of Oklahoma  
U.S. District Court, Middle District of Georgia