

Brian R. Cummings

PARTNER

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Office: Tampa



Brian prioritizes meeting the needs of his clients, allowing him to effectively resolve disputes that result in creative solutions.

Brian has nearly two decades of experience litigating a wide variety of commercial matters and civil disputes, focusing his practice on complex consumer class action defense, real estate litigation and general business litigation.

Defending clients in state and federal courts throughout the nation, Brian has vast experience representing defendants and plaintiffs in litigation matters spanning several industries, including real estate litigation and commercial tenant disputes and lease enforcement, fiduciary, trusts and estates litigation, restrictive covenants/unfair competition litigation, partnership disputes, business torts, securities litigation, and mediation/arbitration. He also frequently handles appellate cases.

Prior to joining the legal profession, Brian worked as a business manager in the travel marketing industry. He also worked as a news reporter for the Chicago Daily Law Bulletin, City News Bureau of Chicago and The Mississippi Press. This cross-industry experience gives him versatile perspectives, thus creating meaningful work that results in creative solutions to meet the needs of his clients.

PRACTICES & INDUSTRIES

Business Litigation
Class Action
Consumer Financial Services
Real Estate Litigation

ADMISSIONS

Florida
U.S. Court of Appeals, Eleventh Circuit
U.S. District Court, Middle District of Florida
U.S. District Court, Southern District of Florida
U.S. District Court, Central District of Illinois

EDUCATION

Stetson University College of Law, *cum laude*, 2006
Northwestern University, M.S., 1991
Lawrence University, B.A., 1989

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Brian maintains an active pro bono practice, focusing on matters involving residential lease and consumer contract disputes. He is an active member of The Florida Bar, serving as an associate member of the Business Section, and is a member of the Greater Tampa Chamber of Commerce Leadership Tampa Class of 2014.

Prior to joining Stinson, Brian was a shareholder and a member of the complex business litigation practice group at a national, full-service law firm.

EXPERIENCE

Secured victory on behalf of client in U.S. District Court for the Southern District of California, defeating claims of a certified class of over 82,000 plaintiffs seeking more than \$123 million from the client for alleged violations of the Telephone Consumer Protection Act (TCPA).

Secured victory on behalf of client with the reversal of a summary judgment in a case involving claims that a competitor engaged in deceptive business practices.

Secured victory on behalf of client in U.S. District Court for the Northern District of Illinois, defeating plaintiff's bid for class certification in a case alleging violations of the TCPA.

Secured the dissolution of a temporary injunction with asset freeze and appointment of a receiver and monitor brought on by Florida's Office of the Attorney General.

Secured six-figure judgment for sanctions against borrower in commercial lease dispute and borrower's counsel for asserting frivolous counterclaims against lender, and successfully defeated judgment on appeal.

RECOGNITIONS

Recognized in 2016 in Tampa, Florida, as a *Super Lawyers* Rising Star in the Business Litigation, Class Action & Mass Tort and Appellate practice areas.

Recognized by the Community Law Program with the 2007 Pro Bono Award.

PROFESSIONAL & CIVIC ACTIVITIES

The Florida Bar, Business Section

Ferguson-White American Inn of Court

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Brian R. Cummings

Leadership Tampa, Class of 2014

NEWS

Arrival of Cummings and Silverstein in Stinson's Tampa Office Featured by *Law360*

08.07.2023

Stinson Growing Tampa Office with Addition of Litigators, Brian Cummings and Murray Silverstein

07.31.2023

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