

Dale A. Evans, Jr.

Partner

West Palm Beach

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D 561.820.0248



Dale's extensive litigation experience defending high-stakes class action lawsuits makes him a trusted advocate in both trial and appellate courts across Florida and throughout the U.S.

OVERVIEW

Dale focuses on complex and class action lawsuits at both the trial and appellate levels. He represents a wide variety of clients, such as developers, health insurance companies, academic institutions, beauty retailers, and financial institutions. Dale's practice spans business litigation, construction, financial services litigation, labor and employment, health and managed care litigation, and securities litigation.

Dale's clients benefit from his vast experience in federal and state courts throughout Florida, the U.S. Court of Appeals for the Eleventh Circuit, and across the country. He handles business litigation and dispute resolution, including complex commercial contract disputes, deceptive trade practices, breach of fiduciary duty, fraud, and civil theft.

Dale defends companies against claims under the TCPA, FDCPA, FCRA, FDUTPA, and other state consumer protection laws. He also defends businesses in cases involving overtime and minimum wage laws, whistleblower statutes, ADA accessibility, unfair competition, sexual harassment, and age and gender discrimination claims.

Dale's construction law practice includes representing owners, contractors, and suppliers in litigation and contract negotiations, addressing issues such as lien foreclosure, payment bond claims, and construction defects. He also regularly represents health insurance companies in provider disputes brought in both arbitration and litigation, arising out of alleged breach of contract, fraud, and other disputes.

REPRESENTATIVE MATTERS

- Defended a loan servicer against a nationwide class action alleging that property-inspection fees for FHA-insured loans violated HUD requirements.
- Defended a national tax preparation services company against a nationwide class action alleging violation of the Telephone Consumer Protection Act.
- Brought claims on behalf of a former professional athlete against his former attorney for fraud, breach of fiduciary duty, legal malpractice, and securities fraud.
- Negotiated numerous contracts for multimillion-dollar construction projects, including commercial and residential

projects.

- Secured dismissal of a putative class action filed against a loan servicer in federal court alleging violations of the FCRA, which was subsequently affirmed on appeal to the U.S. Court of Appeals for the Eleventh Circuit.
- Defended a health insurer in a provider dispute alleging multimillion-dollar claims for breach of contract and unjust enrichment.
- Defended academic institutions in multiple lawsuits involving claims of deceptive and unfair trade practices, fraud, and breach of contract.

Reported Decisions

- *Ortiz v. Saba University School of Medicine*, 348 F.R.D. 4 (D. Mass. Nov. 26, 2024).
- *Gutierrez v. Pain in the Neck, LLC*, 372 So. 3d 1272 (Fla. 6th DCA 2023).
- The Bank of New York Mellon, as trustee for the Certificateholders of CWALT, Inc., Alternative Loan Trust 2006-OA8 Mortgage Passthrough Certificates Series 2006-OA8 v. Resolution Properties Trust, LLC, et al., No. 19-13232, 807 F. App'x 969 (11th Cir. Mar. 24, 2020).
- *Roman v. LoanDepot.com, LLC*, 387 F. Supp. 3d 1389 (M.D. Fla. June 28, 2019).
- *Czaban v. Bayview Loan Servicing, LLC*, No. 3:19cv591-TKW-EMT, 2019 WL 5690633 (N.D. Fla. Nov. 1, 2019).
- *Rodger v. Green Tree Servicing LLC*, 252 So. 3d 249 (Fla. 5th DCA 2018)
- *Leones v. Rushmore Loan Management Services, LLC*, No. 18-10137, 2018 WL 4566854 (11th Cir. Sept. 24, 2018).
- *Kareem v. Ocwen Loan Servicing, LLC*, No. 16-15589, 2018 WL 501338 (11th Cir. Jan. 22, 2018).
- *Criswell v. JM Custom Woodworking, Inc.*, 216 So. 3d 717 (Fla. 4th DCA 2017).

AWARDS

- *Best Lawyers in America®: Ones to Watch, Litigation – Construction* (2023)

TOP AREAS OF FOCUS

- Business Litigation
- Class Action
- Construction
- Financial Services Litigation
- Health Care Litigation

ALL AREAS OF FOCUS

- Appellate + Supreme Court
- Business Litigation
- Class Action
- Construction
- Educational Institutions
- Financial Services Litigation
- Health Care Litigation
- Litigation + Trial

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Member, Palm Beach County Bar Association
- Member, Forum Club of the Palm Beaches
- Member, ACA International

EDUCATION AND CERTIFICATIONS

EDUCATION

- University of Miami School of Law, J.D., *cum laude*, 2012
- Florida State University, B.S., *cum laude*, 2009

BAR ADMISSIONS

- Florida

COURT ADMISSIONS

- U.S. District Court, District of Columbia
- U.S. District Court, Middle District of Florida
- U.S. District Court, Southern District of Florida
- U.S. District Court, Northern District of Florida
- U.S. Court of Appeals, Eleventh Circuit

SPEAKING ENGAGEMENTS

- Speaker, "Florida Employment Law Update, Including Non-Competition Issues," Locke Lord, February 24, 2021.
- Speaker, "Developments in Florida Law," Locke Lord, September 23, 2020.

PUBLICATIONS

- Co-author, "The End of the Road for *Chevron*," Locke Lord QuickStudy, July 2, 2024.
- Co-author, "A Stunning Opinion on 'Dunning' Letters: Revised Opinion Following Review," *Pratt's Journal of Bankruptcy Law*, February-March 2023.
- Co-author, "A Stunning Opinion on 'Dunning' Letters: Revised Opinion Following *En Banc* Review," Locke Lord QuickStudy, October 6, 2022.
- Co-author, "A Stunning Opinion on 'Dunning' Letters – Pending Rehearing *En Banc* in the Eleventh Circuit," *Pratt's Journal of Bankruptcy Law*, February/March 2022.
- Co-author, "A Stunning Opinion on 'Dunning' Letters – Revised Opinion Following Motion for Reconsideration," Locke Lord QuickStudy, October 29, 2021.
- Co-author, "Website Accessibility: Recent Attempts to Clarify Accessibility Obligations," Locke Lord QuickStudy, April 12, 2021.
- Co-author, "Florida Enacts Comprehensive Law Providing COVID-19 Liability Protections," Locke Lord QuickStudy, April 1, 2021.
- Co-author, "Eleventh Circuit Reaches Back 135 Years to Reject Incentive Awards for Lead Plaintiffs in Class

Actions," Locke Lord QuickStudy, September 21, 2020.