



ERIK P. RAINES

Shareholder

101 East Kennedy Boulevard
Suite 3700
Tampa, Florida 33602
T: 813.227.8422

PRACTICE FOCUS

Construction & Design
Litigation

Project Management and
Claim Avoidance

Construction Claims and
Litigation

Litigation

Insurance & Surety Issues

Mediation, Arbitration &
Litigation

Construction & Design
Mediation

EDUCATION

State University of New York at
Binghamton, B.A., 2001

Benjamin N. Cardozo School of
Law, J.D., 2004; Cardozo
Journal of International and
Comparative Law, Managing
Editor

BAR ADMISSIONS

American Bar Association

The Florida Bar

Erik Raines seeks first to understand a client's business objectives and keeps those goals at the forefront when offering strategic solutions and legal advice.

Erik's practice primarily involves representing a vast array of stakeholders in the construction industry including owners, developers, contractors, design professionals, subcontractors and sureties in transactional matters, litigation and arbitration. Erik is well-versed in handling construction defect disputes, delay claims, bond claims, payment and lien foreclosure actions, and complex commercial litigations. He provides pragmatic legal solutions and assists clients in negotiating and mitigating risk through contract drafting and negotiations, and defends all manner of construction claims in litigation and arbitration.

Erik is also Certified by the Supreme Court of Florida as Circuit Court Mediator. Erik brings his considerable construction litigation experience to bear in assisting other parties as a neutral in resolving their disputes.

Prior to joining the firm, Erik practiced in New York City, where he focused on real estate and commercial litigation matters. Outside of the office, Erik enjoys spending time with his wife and kids, playing golf, coaching baseball, and fishing.

HONORS

- AV Preeminent® Rating, Martindale-Hubbell Peer Review

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Hillsborough County Bar
Association

New York State Bar Association

COURT ADMISSIONS

All Florida State Courts

United States District Court,
Middle District of Florida

All New York State Courts

United States District Court,
Southern and Eastern Districts
of New York

- Florida Super Lawyers (2016-2022)
- Florida Super Lawyers Rising Star (2012-2015)
- Florida Trend's Legal Elite (2020)
- Florida Trend's Legal Elite - Up and Comers (2014)
- *The Best Lawyers in America*© (2018-2023)

EXPERIENCE

- Defending a national homebuilder in a multi-party construction defect litigation against a homeowner's association involving over \$13million in claimed damages across 34 townhome buildings containing over 200 units.
- Defending a national homebuilder in a construction defect litigation against a condominium association involving over 35 multi-family condominium buildings.
- Defending developer-related entities and individuals in a multi-million dollar condominium conversion construction defect case involving over 240 condominium units.
- Representing utilities contractor in bid protest matter resulting in public entity's rejection of low bidder and rebidding of \$19.5 million project.
- Representing the country's 7th largest school district in construction disputes and transactional matters.
- Prosecuting design and defect claims for owner of a 400+ unit apartment building in a large-scale construction defect claim.
- Representing multiple general contractor clients in contract drafting and negotiations, and in construction litigation matters involving nonpayment, defects, and delays on both commercial and residential projects.
- Representing wide range of subcontractor clients including electrical, mechanical, painting, concrete, glass/glazing, steel fabrication, architectural pre-cast, framing, and drywall trades, in all type of transactional matters and litigation involving lien and bond claims, construction defects, and delays.
- Defending the owner of a multi-million dollar 266 unit luxury hotel in a construction defect lawsuit brought by a condominium association.
- Defending a pipe and fittings supplier on a multi-million dollar defect claim relating to the expansion of a County's water treatment facilities.

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- Defending underground utilities contractor in shareholder dispute and construction claims matters.
- Representing water and wastewater utilities general contractor in dispute resolution and bid protest matters on public projects.
- Representing several sureties on various bond litigation matters including payment and performance bond claims.

COMMUNITY & PROFESSIONAL

- Florida Supreme Court Certified Circuit Court Mediator
- Leadership Tampa, Class of 2019
- Palma Ceia Little League: Board Member
- First Tee of Tampa Bay - Advisory Board
 - Chair – 2021-2022
 - Vice Chair – 2020-2021
 - Chair, Annual Giving Campaign – 2019-2020
- American Bar Association
 - Forum on the Construction Industry
 - Membership Committee
 - Social Media Subcommittee
 - Special Programs and Education Committee
 - Distance Learning Subcommittee
 - Liaison to Division 12
 - Division 12 (Owners & Project Finance) Steering Committee (2015-present)
- Hillsborough County Bar Association
 - Construction Law Section
 - Co-Chair (2014-2016)
 - Membership Co-Chair (2012-2014)
- Associated Builders & Contractors, Inc. - Florida Gulf Coast Chapter
 - NexGen Leadership Class of 2016
 - NexGen Leadership - Selection Committee for Class of 2017

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NEWS & INSIGHTS

Erik Raines Has Been Certified by the Supreme Court of Florida as a Circuit Mediator
Firm News, 11.28.22

Eighty-One Hill Ward Henderson Attorneys Cited in The Best Lawyers in America 2023 Publication
Firm News, 8.18.22

61 Hill Ward Henderson Attorneys Recognized in 2022 Florida Super Lawyers Listing
Firm News, 7.1.22

Seventy Six Hill Ward Henderson Attorneys Cited in The Best Lawyers in America 2022 Publication
Firm News, 8.19.21

58 Hill Ward Henderson Attorneys Recognized in 2021 Florida Super Lawyers Listing
Firm News, 6.23.21

67 Hill Ward Henderson Attorneys Cited in The Best Lawyers in America 2021 Publication
Firm News, 8.20.20

Florida Trend Names Hill Ward Henderson Attorneys to Hall of Fame, Legal Elite, and Up & Comers
Firm News, 6.22.20

Fifty Nine Hill Ward Henderson Attorneys Recognized in 2020 Florida Super Lawyers Listing
Firm News, 6.5.20

2019 Best Lawyers Cites 46 Hill Ward Henderson Attorneys & Names Six "Lawyer of the Year"
Firm News, 8.16.18

Shareholder Erik Raines Selected To Join Leadership Tampa Class Of 2019
Firm News, 8.14.18

Hill Ward Henderson Attorneys Named 2018 Florida Super Lawyers
Firm News, 6.25.18

Hill Ward Henderson Co-Hosted The Florida Law Alliance's 2018 Construction Conference
Firm News, 2.20.18

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Join Us For a Construction Conference on February 16
Event, 1.17.18

2018 Best Lawyers Cites 44 Hill Ward Henderson Attorneys & Names
Five "Lawyer Of The Year"
Firm News, 8.15.17

Hill Ward Henderson Attorneys Named 2017 Florida Super Lawyers
Firm News, 6.8.17

Hill Ward Henderson Attorneys Named 2016 Florida Super Lawyers
Firm News, 6.15.16

Hill Ward Henderson Attorneys Named 2015 Florida Super Lawyers
Firm News, 6.11.15

Hill Ward Henderson Attorneys Named 2014 Florida Super Lawyers
Firm News, 6.11.14

Hill Ward Henderson Elects Five New Shareholders
Firm News, 1.21.14

Hill Ward Henderson Attorneys Present at the Southern Surety &
Fidelity Claims Conference
Firm News, 4.15.13

Hill Ward Henderson Attorneys Named 2012 Florida Super Lawyers
And Rising Stars
Firm News, 3.20.12

ARTICLES & PUBLICATIONS

- "Strategies for Confronting Unconscious Bias in the Legal Industry,"
Webinar for ABA Forum on Construction Law, November 18, 2020
(Erik Raines as Moderator; Kathleen Nalty as Speaker)
- Florida Lien Law, Associated Builders and Contractors - Florida Gulf
Coast Chapter, July 16, 2020 (co-presenter, Emily Morrell)
- Florida Lien Law, Associated Builders and Contractors - Florida Gulf
Coast Chapter, May 10, 2019
- Subcontract Negotiation and Drafting, Associated Builders and
Contractors - Florida Gulf Coast Chapter, April 5, 2019
- Florida Lien Law, Associated Builders and Contractors - Florida Gulf
Coast Chapter, October 12, 2018
- Every Repose Has Its Thorn, (Summer 2018). HCBA Lawyer
Magazine, Vol. 28, No. 6.

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- Navigating and Defending Construction Defect Claims, Associated Builders and Contractors – Florida Gulf Coast Chapter, May 18, 2018 (co-presenter, Emily Morrell)
- Florida Lien Law, Florida Law Alliance Construction Law Conference, February 16, 2018
- Failure to Include Statutory Notice to Owner Warnings Will Invalidate Your Lien. (Summer, 2017). HCBA Lawyer Magazine, Vol. 27, No. 6.
- Florida Performance and Payment Bonds, Associated Builders and Contractors – Florida Gulf Coast Chapter, July 14, 2017 (co-presenter, Devin Phillips)
- Florida Lien Law, Associated Builders and Contractors – Florida Gulf Coast Chapter, February 24, 2017
- "Indicate Precisely What You Mean to Say: Contract Provisions That Work," (Tamara Lindsay and Ben Westcott, Co-Presenters). ABA Forum on Construction Law, Fall Meeting, Chicago, IL (October 2016).
- "Construction Contracts – Finding Common Ground in Drafting and Negotiating Design and Construction Clauses," (E. Raines presenting on Termination, Claims and Disputes), ABA Forum on Construction Law Regional Program, Jacksonville, FL (February 26, 2016).
- "Litigating the \$200,000 Case: A View From Both Sides of the Table," (L Franklin Elmore, co-presenter). ABA Forum on Construction Law, Midwinter Meeting, Scottsdale, AZ (January, 2015).
- "Florida Lien Law: Top 10 Mistakes to Avoid," (Emily Morrell, co-presenter). HWH 6th Annual Real Estate and Construction Symposium (October 1, 2014).
- "Federal Project Bonds: Exploring the Far Side of the Miller Act," (T. Bennett Acuff and Greg Brown, co-presenters). Merchants Bonding Company Annual Claims Conference, Des Moines, Iowa (September, 2014).
- Thinking Outside The Box: Looking Beyond the Four Corners to Evaluate a CGL Carrier's Duty to Defend. (Summer, 2014). HCBA Lawyer Magazine, Vol. 24, No. 7.
- "Performance Bond Defenses" (T. Bennett Acuff, Barbara Carlos and Beth Jenks, co-presenters). Southern Surety and Fidelity Claims Conference. (April, 2014).
- Direct Examination. Chapter 10. (Gregory Brown, co-author). (2014). Florida Civil Trial Practice, 10th Edition.
- "Let's Get Ready to Rumble! Best Practices for Client Intake of Construction Disputes." ABA Forum on the Construction Industry, Webinar. (Peter Halls, Co-presenter). (September, 2013).

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- "You Gotta Have [Good] Faith, or Do You? - Surveying Jurisdictional Splits in Obligees' Bad Faith Claims Against Sureties " (Bennett Acuff, co-presenter). Southern Surety and Fidelity Claims Conference. (April, 2013).
- "Putting Excessive Attorneys' Fees Claims Out to Pasture- Relying on a Statutory Cap to Prevent Motor Vehicle Dealer Bond Sureties from Being 'Milked Like Cash Cows.'" (Gary Horst, Gregory Brown, Marie Borland, co-presenters). Southern Surety and Fidelity Claims Conference. (April, 2012).
- Direct Examination. Chapter 10. (Gregory Brown, co-author). (2012). Florida Civil Trial Practice, 9th Edition.
- State Statutory Requirements Concerning Fidelity Bonding and D&O Insurance for Condominium Associations and Homeowners' Associations. (Gregory Brown, co-author). Southern Surety and Fidelity Claims Conference. (April, 2011).
- Avoiding Veil-Piercing Claims When Using Single Purpose Entities in Construction Projects. (April, 2011). HCBA Lawyer Magazine, Vol. 21, No. 5.
- Direct Examination. Chapter 10. (Gregory Brown, co-author). (2010). Florida Civil Trial Practice, 8th Edition.
- Note, North Korea: Analyzing the "New" Nuclear Threat, 12 Cardozo J. Int'l & Comp. L. 349 (2004).

Florida Motor Vehicle Dealer Bond Claims: An End in Sight to Excessive Attorneys' Fees Claims? (2012). *Florida Surety Association 2nd Quarter Newsletter*.

Florida Motor Vehicle Dealer Bond Claims: An End in Sight to Excessive Attorneys' Fees Claims? (2012). *Florida Surety Association 2nd Quarter Newsletter*.

PUBLISHED DECISIONS

- Hakes v. Orlando's Auto Specialists, Inc.
77 So.3d 196 (Table, Text in WESTLAW), Unpublished Disposition
2011 WL 6793974 5D10-2375
District Court of Appeal of Florida, Fifth District. December 20, 2011
- Layne Heavy Civil, Inc. v. Carter & Verplanck, Inc.
Case No. 16-80609-CIV-ZLOCH, 2018 WL 6303691 (S.D. Fla. Oct. 31, 2018) (obtaining ruling granting client's motion to dismiss Plaintiff's claims)
- Developers Surety and Indemnity Co. v. Italian Cast Stone, Inc.,
No. 8:16-cv-3491T-24-TGW, 2017 WL 3113469 (M.D. Fla. May 5, 2017)
(granting client's motion to quash service of process).

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- SRE Culinary Equipment and Supplies, LLC v. School District of Hillsborough County
Case No. 8:17-cv-2819-T-24JSS, 2018 WL 3068069 (M.D. Fla. Apr. 9, 2018) (obtaining ruling in client's favor on contested motion for attorney's fees after prevailing on client's motion to dismiss)