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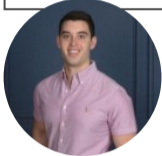
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NEWS

in **'It Was Every Lawyer's Nightmare': Florida Attorney Faces \$2.3M Verdict Against Him**

📄 "He offered me money to settle and I would not accept it," said Johnny A. Pineyro, managing partner at Florida Injury Law Firm. "I felt I had to get him under oath. He's done this too many times."

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Verdicts-Settlements



Michael A. Mora



What You Need to Know

- The Florida jury returned a \$2.3 million verdict against a former associate of the plaintiff law firm.
- Multiple law firms in Florida have sued attorney Thomas Paul Schmitt for allegedly stealing clients and poaching its employees.
- Attorney Johnny A. Pineyro is sharing his cautionary tale with other legal practitioners, particularly small law firms, to encourage them not to neglect detailed background checks.

An attorney accused of stealing law firm clients, poaching employees and wielding a bat at a partner in the Palm Beach courthouse coffee shop has been hit by a state court jury with a multimillion-dollar verdict.

That's good news for Johnny A. Pineyro, who founded the plaintiff, the Florida Injury Law Firm, and previously hired the main defendant, Thomas P. Schmitt, as an associate.

Pineyro said after a probationary period, Schmitt admitted in court to copying and pasting his signature to solicit more than 100 Florida Injury clients about two weeks before he left the law firm. It not only breached his employment agreement but it also violated Florida Bar rules, the plaintiff argued.

"If you have someone come into the office, make sure you do a very detailed background check on the attorney," Pineyro said. "Call the references because I, unfortunately, did not do that with him. It was every lawyer's nightmare."

Schmitt, who later started his law firm, the Florida Personal Injury Law Team, which is also a defendant in the case, declined to comment.

Pineyro's Florida Injury alleged in the [47-page third amended complaint](#) that Schmitt left a trail of law firm victims from South Florida to Orlando each time he left a job, while allegedly lining his pockets with millions of dollars worth of case files.

That included his time at the then-[Goldstein Law Firm](#), in which Schmitt allegedly broke a non-solicitation agreement required of all employees and ran off with about 140 clients, court records show.

A court ruled Schmitt's new law firm had to pay 80% of the disputed attorney fees collected on Goldstein's clients' cases. Schmitt left the new law firm four months later, and was sued for poaching its clients, court records show.

Meanwhile, a couple of years later, Schmitt allegedly submitted a resume that contained "material misrepresentations and omissions," which included that he studied at Oxford University on a Rhodes scholarship, which led to an interview with the plaintiff law firm, court documents show.

In employment interviews, Schmitt failed to provide his actual work experience, along with his bankruptcies and violent past, such as a court's issuance of a restraining order after Schmitt's bat-wielding incident directed at a partner at a former employer, Steinger Iscoe & Greene, per court documents.

After Schmitt landed a job at the plaintiff law firm, he entered into an employment agreement that included covenants that prohibited him from soliciting the law firm's clients, the plaintiff claimed. The agreement further required him to send a preapproved joint letter to the clients upon the termination of his employment, it added.

Later on, Schmitt allegedly "cherry-picked" the most lucrative clients, which violated the agreement, the plaintiff argued. For instance, one client was a couple whose case settled for nearly \$1 million about a week after they transferred their case to the defendants, per court documents.

The plaintiff law firm sued, and the case went before the Orange Circuit Court in Orlando.

'I Felt I Had to Get Him Under Oath'

To prevail, Pineyro said he had to overcome Schmitt's alleged unwillingness to cooperate, resulting in sanctions against Schmitt, as well as Pineyro having to pay approximately \$1 million in attorney fees and costs without a guarantee that he would recover a future verdict.

Now, the jury returned a \$2.3 million award for the breach of an independent contractor agreement, and nearly \$980,000 as the reasonable quantum meruit value of the services rendered by the plaintiff to its former clients, according to the verdict form.

Pineyro has an option of either amount, but not both. He intends to move for attorney fees and costs.

Moving forward, Pineyro said he is hopeful that the Florida Bar will pursue an investigation into his former associate, in part using the transcripts and alleged admissions Schmitt made under oath during the litigation. He further stated he intends to share the evidence with the state attorney's office.

"He had to pay money to these law firms as well, but they never took him to verdict," Pineyro claimed. "I took him to verdict. He offered me money to settle and I would not accept it. I felt I had to get him under oath. He's done this too many times."

View the Verdict Form:

2/22/2023 2:53 PM FILED IN OPEN COURT OF TIFFANY M. RUSSELL NINTH CIRCUIT ORANGE CO FL

IN THE CIRCUIT COURT OF THE 9TH JUDICIAL CIRCUIT
IN AND FOR ORANGE COUNTY, FLORIDA

FLORIDA INJURY LAW FIRM, P.A., CASE NO.: 2018-CA-2535
a Florida professional corporation, Division 43

Plaintiff,

vs.

THOMAS P. SCHMITT, and FLORIDA PERSONAL
INJURY LAW TEAM LLC, a Florida limited
liability company,

Defendants.

**VERDICT AS TO FLORIDA INJURY LAW FIRM'S CLAIMS AGAINST
THOMAS SCHMITT AND FLORIDA PERSONAL INJURY LAW TEAM**

We, the Jury, unanimously, find as follows:

1.a. Do you find that the Independent Contractor Agreement should be reformed on the basis of a mutual mistake?

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