GOLDBERGSEGALLA



gmackinnon@goldbergsegalla.com
407.458.5608
Orlando

PRACTICES

Retail and Hospitality
Transportation

INDUSTRIES

Retail and Hospitality
Transportation

R. Gavin Mackinnon

PARTNER

EXPERIENCE

R. Gavin Mackinnon is a trial attorney with over two decades of experience handling transportation, construction, and general liability matters in state and federal courts throughout Florida and Illinois. He represents businesses in the transportation, retail, and construction industries in a wide range of civil litigation including personal injury, property damage, products liability, and construction accidents and defects. He also concentrates a portion of his practice in complex commercial litigation involving contract disputes, business torts, and commercial land and lease disputes.

Gavin also concentrates a portion of his practice in complex commercial litigation involving contract disputes, torts, land disputes, landlord-tenant claims, securities litigation, and claims of lien. He draws on experience handling real estate and land disputes, loan default, interstate Land Sales Full Disclosure Act claims, and Florida Unfair and Deceptive Trade Practice Act claims.

Gavin is certified by the state of Florida to conduct continuing education courses. He regularly advises clients on policies and procedures to limit exposure to liability and conducts numerous training seminars for clients.

EXPERIENCE HIGHLIGHTS

Transportation

- Represented an international lumber mill in a jury trial and obtained a complete defense verdict in its favor in a trucking and transportation matter involving a 300-pound log that rolled off a truck on to the neck and head of worker resulting in cervical fusion

General Liability

- Represented a metal recycling company in a jury trial against claims by a customer who alleged to have suffered personal injuries arising from premises liability
- Defended an industrial painting company against negligence claims following the death of its employee in a work-related accident on grounds that “virtual certainty” exemption to workers’ compensation did not apply
- Obtained a settlement in a suit where a worker’s arm was caught in an orange juicing machine resulting in a crush injury

Insurance Coverage

- Defended an insurance company in a slip-and-fall claim where the plaintiff’s leg broke and accumulated $700,000 in medical bills

Commercial Litigation

- Represented employers from varying industries in the defense of statutory non-

GOLDBERGSEGALLA

R. Gavin Mackinnon

PARTNER

compete and unfair competition claims brought by a competitor business related to the alleged improper hiring of former employees
- Represented a limited liability company in a suit brought by former LLC members seeking the dissolution and disbursement of company assets and to remove its managing member
- Defended a motel against trademark/trade-dress claims brought by a major, nationwide motel chain

Real Estate and Land Use

- Defended multiple equitable actions seeking injunctive relief related to real property claims, appropriation of business opportunities, and non-compete agreement
- Defended a corporation entity in multiple title actions, claims for tortious interference, and declaratory and emergency injunctive relief in a real property dispute
- Obtained summary judgment in favor of a developer by persuading circuit and appellate courts as to the application of exemption of federal reporting guidelines in interstate sale transactions of real property
- Represented homeowners associations for alleged breach of its covenants, conditions, and restrictions associated with property damage claims originating from common areas
- Defended a major transactional party in a complex commercial litigation action involving an alleged scheme to defraud mortgage lender
- Represented a real property inspection company hired by a national mortgage lender to maintain abandoned properties or those under default for claims of trespassing and invasion of a privacy claim brought by defaulted homeowner

Construction

- Represented a contractor in a construction lien case resulting in the favorable reversal of improper trial court ruling, which extinguished the contractor's lien rights
- Represented a construction company, who acted as the prime contractor in FDOT road widening project, against claims of defect maintenance of a traffic plan (MOT) alleged to have caused or contributed to a motor vehicle accident that resulted in serious personal injuries to a motorist

Health Care and Medical Malpractice

- Obtained a dismissal with prejudice of statutory and common claims brought against a hospital and its administrative staff for loss of medical privileges to practice medicine and for alleged breach of hospital by-laws
- Represented a municipality and its medical staff for federal civil rights, section 1983 claims brought by a prisoner who alleged deliberate indifference to medical needs

Education

- Defended a school against claims of unfair business practices, tortious interference, and unfair competition brought by a competing school who alleged theft of its curriculum by former teachers

GOLDBERGSEGALLA

R. Gavin Mackinnon

PARTNER

HONORS & AWARDS

- *Best Lawyers in America*
  - Commercial Litigation, 2023-27
- New Attorney Award of Excellence, The Legal Aid Society of the Orange County Bar Association, 2005

BACKGROUND

ADMISSIONS

- Florida
- U.S. Supreme Court
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. District Courts for the Northern, Middle, and Southern Districts of Florida

---

EDUCATION

- Chicago-Kent College of Law, J.D., 1998
- George Washington University, B.S., 1992
  - Macquarie University, Sydney, Australia, 1990

PROFESSIONAL AFFILIATIONS

- Florida Restaurant and Lodging Association
- Orlando Claims Association
- Orange County Bar Foundation

PUBLICATIONS & PRESENTATIONS

PUBLICATIONS

- *Citizens Prop. Ins. Co. v. Bellas*, 147 So. 3d 1019 (Fla. 2d DCA 2014)
- *Mera v. Sala, Inc.*, 2014 WL 7275348 (Fla. 5th DCA 2014)
- *Langley v. Knowles*, 958 So. 2d 1149 (Fla. 5th DCA 2007)
- *Dye v. Advantage Venture Partners, Ltd.*, 869 So. 2d 630 (Fla. 5th DCA 2004)
- *Carbone v. Value Added Vacations, Inc.*, 791 So. 2d 1217 (Fla. 5th DCA 2001)