

Pedro E. Hernandez

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He/Him

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About Pedro

Pedro focuses his litigation practice on insurance coverage, commercial disputes, real estate and construction deals, and intellectual property, including trademark and trade secrets. He also represents clients in the entertainment and media industries.

Representing domestic and international insurers, he handles high-profile coverage litigation and bad faith cases nationwide. His work includes commercial general liability, errors and omissions, and first-party claims involving significant property damage. In addition, Pedro manages commercial class actions in multidistrict litigation courts and has taken numerous cases to verdict.

A regular speaker at insurance industry events, Pedro shares insights at conferences across the United States and the United Kingdom.

Pedro's Affiliations

- Cuban American Bar Association
- Hispanic Bar Association

Areas of Focus

Industries: Construction; Insurance; Insurance Transactions; Life, Health, Disability & ERISA ;
Real Estate; Reinsurance

Services: Bad Faith, Market Conduct & Extra-Contractual Liability;
Claims Resolution, Management & Social Inflation Containment ;
Complex Commercial Litigation ; Insurance Coverage Litigation & Counseling;
Intellectual Property; Litigation & Trial; Real Estate Transactions & Lending

Initiatives: International Law & Alliances

Experience

- A commercial litigation lawsuit in Colorado seeking \$1 billion in damages was dismissed with prejudice on the merits.
- A commercial litigation lawsuit in Colorado seeking \$400 million in damages was dismissed with prejudice on the merits.
- *Tarragon Stoneybrook Apartments, LLC v. Summit Contractors, Inc., et al.*, in the Circuit Court of the Ninth Judicial Circuit and for Orange County, Florida. Case Number 2006-CA-010888 (Div. 32-- Business Court). Vacated a \$10 million (\$13 million with interest) judgment against insured and a national carrier.
- *Vintage Properties, Inc. et al., v. Mid-Continent Cas. Co.*, United States District Court, Middle District of Florida. Case No. 10-CV-80836-PAS. Granted summary judgment on behalf of the carrier based on the pollution exclusion barring coverage for Chinese drywall damages.
- Represented two major carriers in the building collapse at the Champlain Towers in Surfside, Florida.
- Defended an insurance company whose insured was facing more than \$50 million in claims brought against it by multiple national builders over construction defect claims in Florida. Hinshaw extinguished almost all of the liability with only minimal policy limits and in the face of numerous competing time limit demands. The negotiated settlement also protected the client from future bad faith exposure based upon its alleged failure to settle those claims.
- Secured a declaratory judgment that its client, a Brit Syndicate, had no duty to defend or indemnify a contractor for substantial property damage allegedly caused by the contractor's faulty installation and repairs of a roof on a historic 16-story building in Birmingham, Alabama. Hinshaw filed the case in the US District Court for the Northern District of Alabama.
- *Charles Mansfield v. Mid-Continent Casualty Company, et al.* – 2019 U.S. Dist. LEXIS 179990, Case No. 3:19-cv-187-J-20PDB (M.D. Fla. Sept. 18, 2019). Employment exclusion precluded coverage for this large loss.
- *Mid-Continent Casualty Company v. JWN Construction, Inc., et al.* – 2018 U.S. Dist. LEXIS 20529, Case No. 9:17-cv-80286 (S.D. Fla. Feb. 8, 2018). No coverage for carrier based on the CG 2294.
- *Granada Ins. Co. v. JDP Constr., Inc.*, No. CACE 17-005883 (Fla. 17th Cir. Ct. Broward City., Sept. 5, 2017) (Westlaw pending). "The Classification Limitation Endorsement precludes coverage under the Policy for the claims at issue as some or all of D.Ph.'s work at the Property, which caused Gonzalez' injuries, was outside the scope of the business description and Classification Schedule of the Policy."
- *Granada Ins. Co. v. Amarna Painting LLC et al.*, No. 2021-015203-CA-01 (Fla. Cir. Ct. Miami-Dade City. May 25, 2022) (Westlaw pending). "The Classification Limitation Endorsement ... in Granada's Policy preclude coverage

for any bodily injury asserted against [insured] and related to its work [at the premises].”

- *Granada Ins. Co. v. GTZ Construction Mgmt.*, No. 2020-006745-CA-01 (Fla. Cir. Ct. Miami-Dade City., Mar. 3, 2021) (Westlaw pending). “Granada’s Classification Endorsement precludes any finding that Granada has a duty to defend or indemnify its insured for claims that its insured cause ... in connection with work on a project unless the insured’s work on the project was limited to the operations set forth in the Classification Limitation Endorsement. Stated otherwise, the Court finds and agrees that if an insured exceeds the scope permitted by the Classification Schedule, then the Classification Limitation Endorsement negates any duty to defend or indemnify.”
- *Granada Ins. Co. v. Only Corp. et al.*, No. 2020-013569-CA-01 (Fla. Cir. Ct. Miami-Dade City, May 13, 2022) (Westlaw pending). “The Court finds that the Classification Limitation Endorsement is unambiguous.”... “Granada’s Classification Limitation Endorsement Precludes any finding that Granada has a duty to defend or indemnify its insured for claims that its insured caused ... unless the insured’s work on the [premises] was limited to the operations set forth in the Classification Limitation Endorsement.”
- *Granada Insurance Company v. Keystone, Inc.*, Case No. 2020-CA-002263, (Fla. Cir. Ct. Pasco County Apr. 28, 2021) (Westlaw pending). Ordering that insurance policies were rescinded ab initio because insured misrepresented the number of units it planned to work on.
- *Trovillian Construction & Development, Inc. v. Mid-Continent Casualty Company and Casa Jardin Condominium Association, Inc.*, 2014 WL 201678 (MD Florida, January 17, 2014). No coverage for a \$1.8 million consent judgment for failure to allocate.
- *Chinese Manufactured Drywall Products Liability Litigation* (E.D. La. MDL No. 2047). Represented two major carriers in the litigation and the \$1 billion global settlement.

Recognition

- *Florida Super Lawyers*, Rising Stars, 2014 – 2020

Credentials

Education

Pennsylvania State University Dickinson Law, JD, 2006

Ramapo College of New Jersey, BA, 2003

Bar Admissions

District of Columbia

Florida

New York

Court Admissions

US Court of Appeals for the Second Circuit

US Court of Appeals for the Eleventh Circuit

US District Court for the Middle District of Florida
US District Court for the Northern District of Florida
US District Court for the Southern District of Florida

Languages

Spanish

Interests

Did you know...

Pedro commits to providing a significant amount of pro bono work on behalf of the South Florida community.

When he's not working on behalf of his clients, Pedro enjoys spending time with his daughters.

Thought Leadership

Presentations

Pedro speaks on insurance-related topics at industry events in both the United States and abroad.

- Co-Presenter, "A Look at What's Driving Claims and Exposures in the U.S.," Hinshaw & RPC Joint Seminar, London, United Kingdom, February 26, 2020
- "Hot Topics in Florida Insurance Coverage," Section of Litigation Insurance, Coverage Litigation Committee, American Bar Association, May 2013
- "Proving Covered Damages: Litigating Construction Defect Cases Following Pozzi Windows and Auchter," Litigation Section, American Bar Association, Coral Gables, Florida, May 2013

Publications

- Chapter Co-Author, "[USA](#)," *2025 Annual Insurance Review*, RPC, 2025
- Co-Author, "[Key Insurance Decisions, Trends, and Developments in 2024 and a Look Ahead to 2025](#)," *JD Supra*, December 5, 2024
- Co-Author, "[Fire & Rain: 2023 Key Decisions & Developments Impacting the Wide World of Insurance](#)," Mealey's Litigation Reports (2023) [This article has been published in Mealey's Litigation Reports: Mealey's Coronavirus Law; Mealey's Litigation Report: Class Action; Mealey's Litigation Report: Insurance Bad Faith; Mealey's Emerging Insurance Disputes; Mealey's Emerging Securities Litigation; Mealey's Litigation Report: Asbestos; Mealey's Litigation Report: Reinsurance; Mealey's Emerging Toxic Torts; Mealey's Asbestos Bankruptcy; Mealey's Litigation Report: Catastrophic Loss; and Mealey's Artificial Intelligence.]
- Co-Author, "The Legal Trends Behind 'Social Inflation' in Insurance," *Law360 Expert Analysis*, February 21, 2020

- “Florida Courts Rejecting Prejudice as a Matter of Law in Certain Late Notice Cases,” Hinshaw Insurance Coverage Alert, July 26, 2011
- “Case Note: *Rights and Accountability in Development (Raid) v. Das Air, Global Witness v. Afrimex*: Small Steps Toward an Autonomous Transnational Legal System for the Regulation of Multinational Corporations,” by Larry Catá Backer, *Melbourne Journal of International Law*, March 28, 2009
- “[Multinational Corporations as Objects and Sources of Transnational Regulation](#),” 14 *ILSA Journal of International & Comparative Law*

Events

- Hinshaw Partners to Present at the Global Access Annual Conference 2022, Jun 23, 2022
- Pedro Hernandez to Present on Construction Claim Trends at the 14th Annual Construction Law Institute, Mar 6, 2020
- Hinshaw and RPC Joint Seminar: What’s Driving Claims and Exposures in the United States, Feb 26, 2020
- Ronald Kammer and Pedro Hernandez to Present at “Insurance in the Construction Industry” Seminar, Aug 17, 2018
- Ronald L. Kammer and Pedro E. Hernandez to Speak at the Insurance in the Construction Industry Conference, May 11, 2017

In The News

- Hinshaw Analyzes Key U.S. Insurance Developments in the 2025 Annual Insurance Review Published by RPC, Jan 22, 2025
- Hinshaw Reviews Key U.S. Insurance Developments in RPC 2024 Annual Insurance Review, Jan 11, 2024
- Hinshaw Reviews Key U.S. Insurance Developments in RPC 2023 Annual Insurance Review, Jan 20, 2023
- Insurance Services Co-Chair Pedro Hernandez Discusses Attorney Additions in South Florida, Nov 14, 2022
- Hinshaw Reviews Key U.S. Insurance Developments in RPC 2022 Annual Insurance Review, Jan 12, 2022

Insights for Insurers Alerts

- Hinshaw Readers’ Choice Awards: Top Insurance Articles of 2024, Dec 30, 2024
- [White Paper] A Look Back at Key Insurance Developments in 2024 and a Look Ahead to 2025, Dec 4, 2024
- [White Paper] United States Insurance Trends and Decisions 2023, Dec 21, 2023
- Key Insurance Cases and Developments – 2022 In Review, Feb 27, 2023
- Florida Courts Rejecting Prejudice as a Matter of Law in Certain Late Notice Cases, Jul 26, 2011

Press Releases

- Pedro E. Hernandez Appointed to Hinshaw’s Management Committee, Nov 13, 2023
- Hinshaw Releases Second Edition of Duty to Defend: A Fifty-State Survey, Sep 18, 2023

- 101 Hinshaw Lawyers Recognized in 2024 Editions of Best Lawyers in America and Ones to Watch, Aug 17, 2023
- Hinshaw Launches “Global Access Lawyers” in Collaboration with Five Global Insurance Law Firms, May 20, 2021
- New Hinshaw Insurance Law Radio Episodes Review Bad Faith & Extracontractual Liability in the U.S., Impact of Social Inflation on Insurers, Mar 20, 2020

Webinar

- Webinar Series: Insurance Insights – What Insurers Need to Know in 2021, Apr 29, 2021

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