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DAILY BUSINESS REVIEW

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..... *15th Annual*

**MOST EFFECTIVE
LAWYERS 2019**

Once a year, the Daily Business Review recognizes exemplary performance by attorneys who deliver positive results for the client.

In the 15th annual edition, more than three dozen attorneys in 20 categories are honored for their handling of litigation, transactions and public interest law.

Proving the wheels of justice grind slowly, some cases had their origins more than a decade ago.

A federal appellate court decided a case about law firm liability in the Ponzi scheme run by Allen Stanford, who was charged a decade ago. Another case dates back to contract bidding decided in 2001. And a bankruptcy recovery attempt involving a former Ecuadorian banker was tied to the formation of a family foundation in 2003 and the 1996 failure of Banco Continental.

Some were decidedly quicker. A move to disqualify a judge was determined on appeal three months after the initial motion was filed in the trial court.

Overall, the competition exemplifies the vigor and variety of South Florida's legal community. Congratulations to all who participated.

— **Catherine Wilson**
Managing Editor

MOST EFFECTIVE LAWYERS/ CLASS ACTIONS/MASS TORTS

Speedy Class Arbitration Settlement Reached for Jet-Sharing Members

**Mason Pertnoy and
Richard Allen
Solowsky & Allen
Gary Mansfield and David Stone
Mansfield, Bronstein & Stone**

Members of the Fort Lauderdale-based JetSmarter Inc. private jet-sharing service weren't happy when they say their terms of membership started changing and new fees were added.

Attorneys at Solowsky & Allen in Miami and Mansfield, Bronstein & Stone in Fort Lauderdale served a demand letter on the company and a draft class action complaint on behalf of the company's 12,000-plus members.

JetSmarter agreed to class certification, amended its membership agreement and eliminated a provision barring class actions. Mediation followed a class arbitration filing, and an agreement was reached in March 2019. The settlement attracted an above-average rate of claims.

Members received \$3.13 million in cash and \$200 million in flight credits and membership extensions. Less than a year



Mason Pertnoy

Richard Allen

Gary Mansfield

David Stone

passed between the arbitration filing and final judgment.

Describe a key piece of testimony, evidence, ruling or order in your case and how it influenced the outcome: The key to our successful outcome was twofold. A tremendous amount of effort went into collecting emails, advertisements, news articles and class member statements in order to prepare a high-level, detailed complaint, which told a compelling story of defendant's wrongdoing. The research included finding a critical admission from the defendant in an online interview which directly contradicted email solicitations the defendant made to class members in the same time frame. This evidence went to the heart of the allegations of defendant's wrongdoing.

In addition, we developed a novel legal approach to circumventing the defendant's class action prohibition clause in the membership agreement. This led to defendant agreeing to amend its membership agreement to waive the class action prohibition clause and agreeing to certify the prospective class. The parties' agreement saved class members years of litigation, thousands of dollars in litigation fees and costs and ultimately allowed the parties to focus on reaching a commonsense resolution. Collection of critical pieces of evidence in preparation of the complaint coupled with sound and creative legal strategies allowed class members to obtain substantial redress nearly a year after suffering their damages.