



Michael J. Napoleone

Partner

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Overview

Michael Napoleone, an experienced litigator, represents businesses and individuals in complex disputes involving contract matters, shareholder and partnership agreements, restrictive covenants and trade secret misappropriation, real estate and construction matters, and class actions. His practice also includes estate and trust litigation, representing beneficiaries and fiduciaries in will contests and surcharge actions. Michael also represents attorneys in proceedings before The Florida Bar's grievance committees. He has represented clients in jury trials, bench trials, injunction proceedings, arbitration, mediation and the appellate courts. His clients have included Fortune 500 Companies, small businesses, developers, individuals, physicians and medical practices, and condominium associations.

Michael does extensive bar-related and community work. He currently serves as the Mayor of the Village of Wellington. Michael served twelve years as a member of the executive board of the Early Learning Coalition of Palm Beach County. He is a past-president of the Palm Beach County Bar Association, a current member of the executive board of the Transportation Planning Agency for Palm Beach County, and an elected board member of the Palm Beach County League of Cities.

Experience

Obtained jury returned verdict in favor of the firm's client against client's former employees and their competing business, where jury determined that the company's client list constituted a protectable trade secret and found defendants liable on all counts and awarded plaintiff damages for the business losses resulting from the defendants' wrongful conduct, even though the former employees were not bound by non-competition or non-solicitation agreements

Obtained multi-million dollar jury award in favor of residential developer client against party who breached right of first refusal in development agreement that gave client the right to acquire the remaining developable land

Obtained seven-figure award following bench trial on former employees' claims against former employer for breach of employment agreements for failure to pay hundreds of thousands of dollars in earned commissions with additional damages including over \$1 million in attorney fees and costs to client; representation also included successful defense of counterclaims by former employer for alleged violations of non-compete agreements and theft of trade secrets

Practices & Industries

[Complex Commercial Litigation](#)

[Fiduciary and Probate Litigation](#)

[Intellectual Property Litigation](#)

[Litigation](#)

[Mergers & Acquisitions](#)

[Real Estate Litigation](#)

Prosecuted claims in arbitration on behalf of subsidiary rights holder against author and producer of national production of off-Broadway musical and negotiated favorable settlement following multi-million dollar arbitration award in favor of client

Represented members of closely-held, family-owned businesses in settlement of shareholder derivative litigation involving allegations of breach of fiduciary duty, usurpation of corporate opportunity, conversion and civil conspiracy

Successfully represented the five adult children of a decedent in defense of a multi-million dollar surcharge action, which was aggressively pursued by the successor personal representative on behalf several financial institutions; negotiated settlement of all claims and obtained releases in favor of all clients and a discharge from the probate court

Represented national fast food franchisor in settlement of federal court litigation with franchisee over claims of fraud, misrepresentation and tortious interference with business relationships

Defended a group of doctors and their medical practices against RICO, fraud and deceptive trade practice claims, asserted by insurance carriers seeking million in damages related to their performance of certain surgical spinal procedures; matter settled to clients satisfaction

Defended businesses and individual family members in multi-jurisdiction litigation involving claims of alleged fraudulent transfers where plaintiffs claimed that clients transferred of millions of dollars in assets to avoid the reach of judgment creditors

Successfully defended a law firm in an investigation by the attorney general in assessing whether fraudulent documentation had been created and filed by the firm in an effort speed up foreclosure processes, where the law firm denied all allegations and successfully quashed the subpoena; upheld on appeal and created new law in the State of Florida as to the power of the attorney general to investigate law firms

Represented condominium association in multi-year litigation against former country club owner arising from club operator's breaches of covenants contained in the Declaration of Condominium; obtained final summary judgment in favor of client and later pursued post-judgment proceedings against successor club owner and obtained final judgment in favor of condominium association resulting in successor club owner conveying millions of dollars in waterfront property to client

Education and Credentials

Education

St. John's University School of Law, J.D.

University of Florida, B.S.

Admissions

State of Florida

U.S. District Court, Middle District of Florida

U.S. District Court, Southern District of Florida

State of New York

U.S. Supreme Court

Affiliations

Palm Beach County Bar Association, Past President; Board of Directors, Former Member; Committee on Professionalism, Former Chair; Committee on Diversity and Gender Sensitivity, Former Chair; Leadership Academy, Creator and Former Chair; Judicial Campaign Practices Commission, Former Chair

The Florida Bar, Constitutional Judiciary Committee, former Chair; Standing Committee on Professionalism, former Member
Leadership Palm Beach County, 2022
Leadership West Palm Beach, 2005
Business Development Board of Palm Beach County
The Forum Club of the Palm Beaches

Recognition and Community

No aspect of this advertisement has been approved by the highest court of any state. Prior results do not guarantee a similar outcome. See Awards Methodology.

Recognitions

Selected to list of *Top Lawyers*, Business Litigation, by *Palm Beach Illustrated*, 2022
Selected to the Top Lawyers list in the Commercial Litigation category by the *Boca Raton Observer* (A&A Publishing Corp) and DataJoe, 2022
Selected to the list of Florida *Super Lawyers* (Thomson Reuters), Business Litigation, 2010-2024
Selected to the list of Florida *Super Lawyers* Rising Stars (Thomson Reuters), Business Litigation, 2009
Chosen for inclusion on the list *Florida Legal Elite* by *Florida Trend* (Trend Magazines Inc.), 2009-2018
Selected to list of *South Florida's Top Lawyers* by the *South Florida Legal Guide*, 2018
Chosen for inclusion in *The Best Lawyers in America* (Woodward/White, Inc.), Commercial Litigation, 2015, 2020-2025
Chosen for inclusion in *The Best Lawyers in America* (Woodward/White, Inc.), Real Estate Litigation, 2015
Recipient of the Key Partners Award from the *South Florida Business Journal* (American City Business Journals), 2012
Finalist for the list of "Most Effective Lawyers" in International Law by *Daily Business Review* (ALM Media Properties, LLC), 2010
Installed as a member of the Florida Blue Key leadership honorary society at the University of Florida, 1992
AV Preeminent rated by Martindale-Hubbell (LexisNexis)

Community Involvement

Village of Wellington, elected Mayor, 2024-Present
Village of Wellington, elected Council Member, 2016-2024
Early Learning Coalition of Palm Beach County, Board of Directors, 2011-2021
Palm Beach County Transportation Planning Agency, Governing Board, 2017-Present; Executive Board, 2021-Present
Palm Beach County League of Cities, Board Member, 2019-Present

Insights

FinCEN Imposes CTA Reporting on Certain Dissolved Entities

July 12, 2024

Corporate Transparency – Where Are We Now?

April 23, 2024

The "STOP WOKE Act" – Florida's Attempt to Prohibit Mandatory Employee Diversity Training Put on Hold for Now

October 21, 2022

Florida Votes to Increase Minimum Wage to \$15 per Hour Over Six Years

November 30, 2020

Florida Governor Issues Stay-at-Home Order, Designates Essential Services During COVID-19 Pandemic

April 7, 2020

News

Day Pitney Partner Michael J. Napoleone Re-Appointed Vice-Mayor of Wellington

May 9, 2023

Michael Napoleone Reelected to Board of Directors for the Palm Beach County League of Cities

May 31, 2022

Michael Napoleone Appointed to Executive Committee for Palm Beach County Transportation and Planning Agency

December 8, 2021

Michael Napoleone Elected to Board of Directors for the Palm Beach County League of Cities

April 30, 2021

Florida Partner Michael Napoleone Re-Elected As Vice Mayor of Wellington Village

January 24, 2020

Day Pitney Sponsors PBCBA's Committee for Diversity and Inclusion Legacy Celebration

November 5, 2019

Day Pitney Partner Michael J. Napoleone Appointed Vice-Mayor of Wellington

April 10, 2019

Day Pitney LLP: Firm Expands to Better Serve South Florida Clients

March 19, 2022

Michael Napoleone Elected Vice Chair and Interim Chair of Early Learning Coalition of Palm Beach County

February 11, 2013

In The Media

Michael Napoleone Serves as Firm Representative to the Business Development Board of Palm Beach

Palm Beach County Profile, 2023-2024

Top Lawyers 2022; Palm Beach Illustrated

Palm Beach Illustrated, September 2022

Top Lawyer 2022; Boca Raton Observer
Boca Raton Observer, September 2022

News and Notes

Florida Bar News, February 1, 2022

Leadership PBC Accepts 48 into Engage Program

Florida Weekly Palm Beach, August 12, 2021

Betensky and Napoleone Commended for Pro Bono Work by Legal Aid Society of Palm Beach County

Legal Aid Society of Palm Beach County & Florida Pro Bono Coordinators Association, August 9, 2021

Michael J. Napoleone Accepted Into Leadership Palm Beach County Engage Program

Leadership Palm Beach County, July 14, 2021

Partner Michael Napoleone Secures Affirmance of Trial Victory

December 31, 2020

Wellington Councilman Michael Napoleone Appointed to Palm Beach County League of Cities Board of Directors

wellingtonfl.gov/Newsletter, June 4, 2020

Day Pitney and Richman Greer Complete Merger, Further Expanding Presence in Florida

Day Pitney Press Release, January 1, 2019

Facebook 'friendship' with a judge - standing alone - insufficient for disqualification

Day Pitney Advisory, November 15, 2018

Letter: Why Judicial Elections Matter

Town-Crier, July 20, 2018

Privacy in the Golden Age of Social Media

Day Pitney Advisory, April 12, 2018

Rule to Enable Consumers to File Class-Action Lawsuits Against Banks Rejected by the Senate

Day Pitney Advisory, October 25, 2017

No Disqualification of Judge for being Facebook 'friend' with Attorney

Day Pitney Advisory, August 24, 2017

Critical Contract Mistakes - and How to Avoid Them

Day Pitney Advisory, June 12, 2017

After 20 Years, Constitution Revision Group Faces New Hurdles

Daily Business Review, December 23, 2016

Here's How Local Governments Can Get Up To Speed On The New Overtime Regulations

American C&C, September 14, 2016

Focus On The Local Judicial Races, Too

Miami Herald, August 5, 2016

How to Avoid 5 Common E-Discovery Mistakes

Law360, July 15, 2015

Business Strategy: Plan for the End at the Beginning

The Business Know-How, July 14, 2015