

# Court


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# Business

From condo terminations to federal wetlands permitting to gun laws, here are 10 cases of consequence to Florida business.

BY MIKE VOGEL





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**S**ome court decisions ripple far beyond the parties involved. FLORIDA TREND asked leading corporate law firms and prominent defense attorneys which recent rulings they see as the most impactful. Following are the ones that stood out.

## A Matter of Trust

The largest of several “nuclear” verdicts dropped last year by Florida juries came in a suit by the Seminole Tribe’s minors’ trust, represented by Conrad & Scherer in Fort Lauderdale, against Wells Fargo Bank. The trust, funded by gambling profits, alleged the bank charged it unauthorized fees and didn’t invest aggressively enough, costing the 2,000 minors covered by the trust. Wells Fargo argued tribe leadership wanted conservative investing. The trust won an \$826-million verdict that with interest reaches more than \$1.25 billion. Wells Fargo is appealing. The trust totaled nearly \$3 billion in 2025. Each minor receives a per capita share upon reaching the designated age.



**The Seminole Tribe of Florida** turned out in force for a civil trial that ended with an \$826-million verdict. The Tribe’s minors’ trust sued Wells Fargo Bank for charging unauthorized fees and for not investing aggressively enough.



## High Stakes

A Hillsborough County case is testing how far disability laws protect – or restrict – medical marijuana users.



**Employers face new challenges** over marijuana use among their workforce after Hillsborough County paramedic-firefighter Angelo Giambrone prevailed — at least at the lower court level — in a suit against the county.

The county suspended Giambrone after he failed a random drug test. He had a Florida medical marijuana card and used marijuana for anxiety and sleep disorder but said he only did so off-duty and never worked under the influence.

He argued he was protected by disability accommodation law. The county argued it had solid reason for refusing an accommodation: Marijuana is illegal under federal law and, as a Schedule I drug, has no accepted medical use.

Courts have held that illegal drug use isn’t protected by the Americans with Disabilities Act, but Giambrone won in court in 2025. The county is appealing.

The county’s position has been complicated by President Trump’s December executive order pushing for marijuana to move from Schedule I — a substance with no

accepted medical use and high potential for abuse — to Schedule III, a category with accepted medical uses and moderate to low potential for dependence.

Rescheduling doesn’t make marijuana legal but, according to David Harvey, partner and business unit leader in labor and employment law for Kelley Kronenberg, rescheduling does have implications for employers.

“If the federal government officially recognizes marijuana’s medical use, courts will take a harder look at whether employers must accommodate medical marijuana users under disability laws like the Americans with Disabilities Act,” says Harvey, who wasn’t involved in the Giambrone case.

Employers in safety-sensitive fields — health care, transportation, manufacturing, construction — still have reason to enforce drug-free policies but will have to address off-duty use that doesn’t affect work. Look for a shift from outright bans to “impairment-based policies” such as already exist for alcohol and prescription meds.