



EDWARD J. O'SHEEHAN

PARTNER

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Edward O'Sheehan is a partner in the Fort Lauderdale office of Shutts & Bowen LLP, where he is a member of the Business Litigation Practice Group and Chair of the firm's Pro Bono Committee.

Ed has over 19 years of litigation experience in consumer finance litigation, creditors' rights and bankruptcy, condominium and homeowner association litigation, probate and guardianship litigation, insurance matters, and tax appeals. Ed also provides representation for clients in matters involving *The Hague Convention on the Civil Aspects of International Child Abduction*.

A former U.S. Marine, Ed is a Colonel and now serves as the Staff Judge Advocate for the Florida Army National Guard. He recently was named by the Office of the Public Guardian as Pro Bono Attorney of the Year for volunteering over 150 hours to represent the best interests of the wards in guardianship, abuse, neglect, financial exploitation, and foreclosure cases.

Contested Foreclosure Litigation and Consumer Finance Litigation Experience

Ed has represented numerous mortgage loan originators, loan servicers, and investors in lawsuits, bankruptcy adversary cases, and contested foreclosures. He has represented banks and other finance businesses in state and federal court in law suits concerning the Fair Credit Reporting Act, the Fair Debt Collection Practices Act, the Florida Consumer Collection Practices Act, the Truth in Lending Act, the Real Estate Settlement Procedures Act, the Home Ownership and Equity Protection Act, and arising out of Consumer Finance Protection Bureau regulations.

Creditors' Rights

Ed's work in this area focuses on representing national and local companies dealing with distressed businesses and individuals. This entails obtaining money judgments and *in rem* judgments against property pledged as collateral and assisting clients in collecting on those judgments in post-judgment proceedings, including supplementary proceedings. His work also often involves matters in the bankruptcy context, either based on an original filing in bankruptcy or a defendant/borrower declaring bankruptcy to seek further delay or restructuring.

Insurance Matters

Ed represents insurance companies in first-party and third-party litigation in state and federal court related to coverage issues, uninsured motorists, bad faith, and hospital lien issues. He's advised insurance companies on federal and state requirements regarding the use of electronic signatures and electronic transactions and has represented insurance companies in claims handling, examination under oath, and litigation concerning electronic signature issues.

Tax Appeals

For real estate companies and property owners, Ed helps protest appraised property values that significantly raise taxes. One case involved a large South Florida hotel in an Ad Valorem tax protest. His work helped reduce the assessed value from \$800 million to less than \$200 million, resulting in significantly reduced taxes. Religious organizations also use his services to handle the tax consequences of gifts, as well as church governance and church law issues.

Background

Prior to joining Shutts, Ed was in-house counsel for a large, national corporation. In this position, he was in charge of managing nationwide litigation and gained experience in handling the legal concerns of a large institution, including cost controls.

While at the University of Miami School of Law, he served as the Articles and Comments Editor of the *Inter-American Law Review* and was a member of the Moot Court Board.

A former active-duty U.S. Marine, Ed continues to serve as a Judge Advocate General (JAG) Officer as the Staff Judge Advocate for the Florida Army National Guard. He served 15 months in Afghanistan as part of a deployment with the 53rd Infantry Brigade of the Florida Army National Guard and handled court martials and other military legal cases. He also volunteers in his local community as an Assistant Scoutmaster in Sea Scout Ship 621 in Hollywood.

Practice Areas

Litigation

Creditors' Rights and Bankruptcy

Industry Focus

Financial Services

Insurance

Accolades

- *Best Lawyers in America*®, Litigation-Bankruptcy, 2018, 2019, 2020, 2021
- Legal Aid, Attorney of the Year, 2020
- Honorable Discharge – United States Marine Corps
- Two Meritorious Service Medals
- Public Guardian Pro-Bono Attorney of the Year, 2015

Education

- University of Miami School of Law, J.D., *cum laude*, 1995
- Ohio University, B.A., *summa cum laude*, Economics, 1992

Bar Admissions

Florida

Court Admissions

- U.S. District Court for the Southern District of Florida
- U.S. Bankruptcy Court for the Southern District of Florida
- U.S. District Court for the Middle District of Florida
- U.S. Bankruptcy Court for the Middle District of Florida
- U.S. District Court for the Northern District of Florida
- U.S. Court of Appeals, Eleventh Circuit
- U.S. Army Court of Criminal Appeals
- U.S. Court of Appeals for the Armed Forces
- Tribal Court of the Seminole Tribe of Florida

Professional and Civic

- Florida National Guard Staff Judge Advocate
- Broward County Bar Association
- Board Member, Committee of 100 of Hollywood
- Board Member, Legal Aid Service of Broward County, Inc.
- Board Member, Coast to Coast Legal Aid of South Florida, Inc.

Presentations

- Moderator, Adults with Intellectual and Developmental Disabilities (AIDD) Law Clinic Community Roundtable and Conference, Nova Southeastern University Shepard Broad College of Law, March 15, 2019
- Guest, [Criminal Law episode](#), *The Legal News and Review* radio show, Broward County Bar Association, March 4, 2016

Publications

- Co-author, Chapter 5-A, "General Foreclosure Procedure," [Florida Real Property Litigation, 8th Edition](#) (2016)
- Speaker, e-Signature Case Studies at Electronic Signature & Records Association Conference, November 2010
- Presenter, defense issues in military justice matters, Savannah, GA and Alexandria, VA, September 2014 and August 2015