

Elizabeth McArthur



Shareholder

Phone: (850) 425-6654

Fax: (850) 425-6694

E-Mail: elizabeth@radeylaw.com

AV Rated



Practice Areas

- Health Care
- Administrative Regulation and Litigation
- Commercial Litigation
- Appellate Advocacy

Experience: Ms McArthur is Board Certified as an expert in State and Federal Government and Administrative Practice, with over twenty-five years of experience representing clients in administrative regulatory, litigation, and appellate matters, primarily involving governmental agencies and often involving health care or insurance regulation. She has focused both her practice and her professional activities on the Florida Administrative Procedure Act. She has served as a member of the Florida Bar Administrative Law Section's Executive Council (its governing body) since 1997, and was elected as Chair of the Section in 2008-2009. She was Editor of the Section's quarterly Newsletter between 1997 and 2007. She also served on the drafting Committee for both the initial Uniform Rules of Procedure, which were adopted by the Governor and Cabinet in 1997, and the rules' recent revisions. These Uniform Rules of Procedure generally govern all state, regional, and local agencies subject to the Administrative Procedure Act.

Ms. McArthur's practice spans a wide variety of administrative matters, related civil litigation, and appeals, before state and federal administrative bodies and trial and appellate courts. Representative appellate cases where Ms. McArthur was lead counsel or co-counsel are reported as follows:

Mae Volen Senior Center v. Area Agency on Aging Palm Beach/Treasure Coast, Inc., 978 So. 2d 191 (Fla. 4th DCA 2008), *rev. denied*, 1 So.3d 172 (Fla. 2009)

Blu-Med Response Systems v. Dept. of Health, 993 So. 2d 150 (Fla. 1st DCA 2008)

Florida Farm Bureau Cas. Co., Inc. v. Cox, 967 So. 2d 815 (Fla. 2007)

RADEY THOMAS YON & CLARK, P.A.

301 South Bronough Street, Suite 200

Tallahassee, FL 32301

www.radeylaw.com

Greer v. Owners Ins. Co., 434 F. Supp.2d 1267, 2006 WL 1589815 (N.D. Fla. 2006)

Charter Warranty, LLC v. Warranty Acceptance Corp., 918 So.2d 392 (Fla. 1st DCA 2006)

Department of State, Division of Elections v. Martin, 885 So. 2d 453 (Fla. 1st DCA 2004) (amicus brief for George Firestone and Jim Smith)

Martin Memorial Medical Center v. Tenet Healthsystem Hospitals, 875 So. 2d 797 (Fla. 1st DCA 2004)

Zimmerman v. Florida Windstorm Underwriting Ass'n, 873 So. 2d 411 (Fla. 1st DCA 2004)

United Wisconsin Life Ins. Co. v. Office of Insurance Regulation, 849 So. 2d 417 (Fla. 1st DCA 2003)

Bethesda Healthcare System, Inc. v. Agency for Health Care Administration, 829 So. 2d 353 (Fla. 1st DCA 2002) (representing Tampa General Hospital)

Fla. Dept. of Ins. v. Fla. Association of Insurance Agents, 813 So. 2d 981 (Fla. 1st DCA 2002) (representing Florida Windstorm Underwriting Association)

State Dept. of Ins. v. First Floridian Auto and Home Ins. Co., 803 So. 2d 771 (Fla. 1st DCA 2001)

United Insurance Co. of America v. State Department of Insurance, 793 So. 2d 1182 (Fla. 1st DCA 2001)

Florida Hospital Association, Inc. v. Agency for Health Care Administration, 773 So. 2d 1284 (Fla. 1st DCA 2000)

Lawnwood Medical Center, Inc. v. Agency for Health Care Administration, 678 So. 2d 421 (Fla. 1st DCA 1996), *rev. denied*, 690 So. 2d 1299 (Fla. 1997)

Tallahassee Memorial Regional Medical Center, Inc. v. Tallahassee Medical Center, Inc., 621 So. 2d 826 (Fla. 1st DCA 1996)

Central Florida Regional Hospital, Inc. v. Dept. of Health and Rehabilitative Services, 582 So. 2d 1193 (Fla. 1st DCA 1991)

PIA Psychiatric Hospitals, Inc. v. State Dept. of Health and Rehabilitative Services, 568 So. 2d 63 (Fla. 1st DCA 1990)

Charter Hospital of Pasco County, Inc. v. State, Department of Health and Rehabilitative Services, 563 So. 2d 181 (Fla. 1st DCA 1990)

Humhosco, Inc. v. Dept. of Health and Rehabilitative Services, 561 So. 2d 388 (Fla. 1st DCA 1990)

University Community Hospital v. Department of Health and Rehabilitative Services, 555 So. 2d 922 (Fla. 1st DCA 1990)

St. Joseph's Hospital v. Department of Health and Rehabilitative Services, 536 So. 2d 346 (Fla. 1st DCA 1988)

Somoza v. Solis, 511 So. 2d 618 (Fla. 3d DCA 1987)

University Medical Park of Tampa, Ltd. v. Department of Health and Rehabilitative Services, 501 So. 2d 692 (Fla. 2d DCA 1987)

Friends of Children, Inc. v. Department of Health and Rehabilitative Services, 504 So. 2d 1345 (Fla. 1st DCA 1987)

State of Florida, Department of Health and Rehabilitative Services v. Friends of Children, Inc., 653 F. Supp. 1221 (N.D. Fla. 1986)

Department of Health and Rehabilitative Services v. Johnson & Johnson Home Health Care, Inc., 447 So. 2d 361 (Fla. 1st DCA 1984)

Urcuyo v. Urcuyo, 444 So. 2d 1027 (Fla. 5th DCA 1984)

Miller v. Board of Pensions of United Presbyterian Church, 431 So. 2d 350 (Fla. 5th DCA 1983)

Education:

- Florida State University College of Law, Tallahassee, Florida, 1982, J.D.
Honors: With Highest Honors; Ranked first in a graduating class of 178
- Florida State University, B.A. (English-Business co-major), 1978
Honors: Magna Cum Laude

Professional Experience:

- Radey Thomas Yon, P.A., Member, 2003 -
- Katz Kutter Alderman Bryant & Yon, P.A., Member, 1998-2003
- Aurell, Radey, Hinkle & Thomas, P.A., Member, 1989-1997;
Associate, 1985-1988
- Holland & Knight, Associate, 1982-1985

RADEY THOMAS YON & CLARK, P.A.

301 South Bronough Street, Suite 200

Tallahassee, FL 32301

www.radeylaw.com

Associations and Memberships:

- The Florida Bar, Member since 1982
Honors: Selected to give speech at induction ceremony at The Florida Supreme Court for achieving highest score on Florida Bar examination
Board Certified in State and Federal Government and Administrative Practice, August 1, 2009
- United States Court of Appeals, 11th Circuit, Member since 1985
- United States District Court, Northern District of Florida, Member since 1986
- United States District Court, Middle District of Florida, Member since 1986
- United States Supreme Court, Member since 1986
- Florida Academy of Health Lawyers, Member
- American Health Lawyers Association, Member
- First District Appellate American Inns of Court, Master since 2008 inaugural year

Awards and Honors:

- Florida Trend Legal Elite - 2009
- Florida Super Lawyer - 2009