SEAN W. GELLIS, B.C.S.

(561) 371-2848 • sean@gellislaw.com

EDUCATION, CERTIFICATIONS, AND AWARDS

Florida Bar Board Certification

Certified in State and Federal Government and Administrative Practice

August 2023

AV-Preeminent® Rating from Martindale-Hubbell

Endorsement for High Ethical Standing

November 2016

Certified Information Privacy Professional (CIPP/US)

The Global Gold Standard in Privacy Certifications

January 2024

St. Thomas University School of Law, Miami Gardens, FL

Juris Doctor

May 2013

Book Awards: Appellate Advocacy, Labor Law

University of Florida, Gainesville, FL

Bachelor of Arts in History

December 2009

EXPERIENCE

Gellis Law, PLLC

Founder and Managing Member

February 2025 – Present

Serve as founder and managing member of Gellis Law, PLLC. Handle all services, business development, and finances.

Florida Office of Insurance Regulation

Deputy General Counsel

February 2024 – February 2025

Served as Deputy General Counsel regulating the world's ninth largest insurance market. Reviewed all consent orders and final orders prior to the Commissioner's signature. Oversaw the "Officer and Director" cases under section 624.4073, Florida Statutes. Supervised the agency's litigation caseload and advised the General Counsel on all litigation matters. Provided legal advice to the Property & Casualty and Life & Health business units. Helped create the Insurance Regulatory Practice Group of the Administrative Law Section of the Florida Bar.

Gellis Law, PLLC

Founder and Managing Member

November 2022-February 2024

Served as founder and managing member of Gellis Law, PLLC. Handled all services, business development, and finances.

Florida Department of Management Services, Tallahassee, FL

Chief of Staff

September 2021-November 2022

Served as Chief Operations Officer for the business arm of Florida government. Led internal agency operations, including supervising the Division of Finance and Administration and the Offices of Information Technology, the General Counsel, Human Resources, Legislative Affairs, Communications, and Strategic Planning representing a total of 116 FTE. Successfully helped lead the Department through the 2022/23 Florida Legislative Session, which culminated in the Florida Senate confirmation of Secretary J. Todd Inman, and a first-ever agency budget over \$1 billion. This included new initiatives such as the outsourcing of the State Data Center, \$163 million dollars for Cloud Migration, and transfer to DMS of the Independent Validation and Verification of the Florida PALM project. Served as Transition

Team Lead for the State Data Center Outsourcing Initiative and successfully negotiated the contract.

Florida Department of Transportation, Tallahassee, FL

General Counsel

September 2020 - September 2021

Served as General Counsel for the nation's third largest state department of transportation with an approximately \$12 billion work program and 6400 employees. Supervised 77 attorneys and 45 support staff statewide encompassing seven districts and the Florida Turnpike Enterprise. Oversaw the agency's litigation caseload, including high profile bid protest proceedings and the construction claims process. Consulted and advised Department Leadership on all legal issues affecting their districts. Reviewed and approved all outside counsel filings. Interact and communicated with all pertinent stakeholders.

Florida Department of Management Services, Tallahassee, FL

Deputy General Counsel Interim General Counsel Deputy General Counsel Interim Deputy General Counsel for Litigation June 2020 – September 2020 April 2020-June 2020 June 2019 – April 2020 February 2019 – June 2019

Serve as Deputy General Counsel for Litigation at the Florida Department of Management Services (DMS). Supervisesix attorneys in that capacity, including five attorneys who defend final agency action taken by the Division of Retirement and Division of State Group Insurance, and one who handles public records matters. Ensure the agency's informal hearing process is carried out in accordance with DMS procedure and applicable law. Prepare Final Orders for the Secretary's signature following a thorough review of the record. Track and manage the agency's case load, including all Petitions under Chapter 120, Florida Statutes, Circuit Civil complaints, Risk Management cases, and appeals. Advise DMS divisions about possible litigation implications of proposed agency action. Review and approve all significant DMS filings, including filings prepared by outside counsel.

Assistant General Counsel

July 2018 – February 2019

Served as Chief Procurement and Contracts Attorney for the Florida Department of Management Services (DMS). Reviewed, analyzed, and edited DMS procurement and contract documents. Advised DMS staff on all procurement matters. Analyzed and interpreted statutes, regulations, and case law as it pertained to DMS contracting matters. Assisted the Division of Real Estate Development and Management with construction procurements and state agency leasing matters. Assisted the Division of State Purchasing with procuring state term contracts and alternate contract sources. Helped institute best procurement practices.

Florida Department of Corrections, Tallahassee, FL

Assistant General Counsel

March 2016 – July 2018

Served in the Contract Procurement and Bid Protest Litigation Unit at the nation's third largest state correctional agency. Represented the agency in bid protest litigation at the Division of Administrative Hearings (DOAH), including as lead counsel. Conducted all phases of contract litigation through appeal. Reviewed and rendered counsel, guidance, and advice regarding solicitation and contract documents. Reviewed and edited contracts, contract amendments, and memoranda of agreement to assure that they conform with basic principles of contract law and applicable Florida regulations. Drafted memoranda to the General Counsel regarding potential litigation or disputes that might arise related to contracts, solicitations, or contractor performance. Analyzed and interpreted statutes, regulations, and case law as it pertains to the Department's contracting matters. Communicated with agency personnel and private contractors to resolve contract administration disputes. Assisted the Bureau of Procurement and provide legal advice during the procurement process.

Florida Office of the Attorney General, Corrections Bureau, Tallahassee, FL

Assistant Attorney General

December 2014 – March 2016

Served as trial and appellate counsel in the Corrections Litigation Bureau of the Florida Office of the Attorney Page 2 of 6

General. Defended the State of Florida and its employees in civil actions brought on behalf of or by inmates in Florida's correctional institutions. Litigated civil rights cases under the First, Eighth, and Fourteenth Amendments of the United States Constitution, and other state law claims. Analyzed, interpreted, and applied federal precedent to the facts of each case. Supervised the Sovereign Citizens Unit, including teaching other attorneys how to handle sovereign citizen cases. Conducted extensive federal/state motion and discovery practice. Deposed incarcerated plaintiffs and other witnesses prior to filing motions for summary judgment. Defended the constitutionality of state statutes and handled extraordinary writ petitions.

Florida Office of the Attorney General, Civil Bureau, Fort Lauderdale, FL

Assistant Attorney General

October 2013 – December 2014

Provided defense legal services for state agencies, state officials, and judges in the following areas of litigation: corrections, tort, and state programs. Corrections litigation included claims under 42 U.S.C. 1983; state and federal constitutions; writs of mandamus, habeas corpus, and prohibition. Tort cases ranged from trip and fall cases, automobile accidents, rail corridor accidents, to wrongful death cases – and included the full range of prisoner tort claims. State Programs litigation included defense of judges; defending against constitutional challenges to statutes; appellate consultation contracts with other units and state agencies; class action litigation; forfeitures; probate and escheat; civil rights and constitutional rights claims against state agencies and state officials; breach of contract; and declaratory judgment actions. Worked 40+ hours per week.

Eannarino Law, P.A., West Palm Beach, FL

Law Clerk

August 2013 – October 2013

Served as law clerk to Mr. Eannarino in a foreclosure defense and consumer law advocate firm. Drafted discovery and responsive pleadings. Accompanied Mr. Eannarino to hearings.

Florida Office of the Attorney General, Civil Division, Ft. Lauderdale, FL

Full-time Legal Intern

January 2013 – May 2013

Drafted memoranda of law, motions, and other pleadings aimed at defending the State of Florida and its agencies in both state and federal court. Defended against various causes of action, including constitutional challenges to state statutes, 42 U.S.C. § 1983 claims, negligence allegations, petitions to recover escheated funds, malicious prosecution, and wrongful death claims. Assisted Special Counsel with analyzing, preparing, and researching appellate briefs.

The Law Offices of Edward A. Maldonado, P.A., Coral Gables, FL

Law Clerk

June 2011 – *December* 2012

Served as personal law clerk to Mr. Maldonado in a telecommunications, internet, and broadcast media law practice.

TRIALS, ORAL ARGUMENTS, AND REPORTED DECISIONS

Federal Trials

Prison Legal News v. Florida Dep't of Corrections, No. 4:12-cv-239-MW/CAS, Northern District of Florida

- Conducted four-day bench trial as co-counsel on behalf of Florida Department of Corrections in a First Amendment challenge to the Department's censorship of Prison Legal News.

Sallee Byrd v. Florida Dep't of Corrections, et al., No. 4:14-cv-25-RH/CAS, Northern District of Florida

- Conducted three-day jury trial as co-counsel on behalf of the Department in a case involving a federal constitutional claim and a state law wrongful death claim. Obtained favorable jury verdict on all claims.

Bid Protests

Egis Projects, Inc. v. Dep't of Transportation, Case No. 21-2161BID (Fla. DOAH July 20, 2021) (Order Relinquishing Jurisdiction)

- Successfully defended against a bid challenge by showing the protester committed numerous "cone of silence" violations. Obtained order dismissing the case prior to final hearing.

American Lighting & Signalization, LLC v. Dep't of Transportation, Case No. 21-1728BID (Fla. DOAH Sep. 27, 2021; FDOT Nov. 15, 2021)

- Served as lead counsel in a challenge to the Department's intended award of a highway lighting asset maintenance contract. Obtained favorable recommended order.

Radise International, L.C. v. Florida Dep't of Transportation, Case No. 21-0118BID (Fla. DOAH May 6, 2021; FDOT May 7, 2021)

- Successfully defended a challenge to FDOT District Six's intended award of geotechnical engineering testing services. Propounded discovery which resulted in the Petitioner voluntarily dismissing the case.

GEO Reentry Services, LLC v. Florida Dep't of Corrections, Case No. 18-0613BID (Fla. DOAH April 20, 2018; FDC May 16, 2018)

- Successfully defended against a challenge to the Department's intended awards for In-Prison Substance Abuse Treatment Services. Represented the Department as lead counsel at the Final Hearing held on March 1, 2018. Obtained favorable recommended order, but ultimately rejected all bids due to unrelated budgetary matters.

Securus Technologies, Inc. v. Florida Dep't of Corrections, Case No. 17-3893BID (Fla. FDC July 24, 2017)

- Defended the Department's solicitation specifications for Inmate Telecommunications Services. Conducted discovery and motion practice. Reached an amicable resolution of the issues prior to final hearing.

Bridges of America, Inc. v. Florida Dep't of Corrections, Case No. 16-6427BID (Fla. FDC Dec. 2, 2016)

- Defended the Department's solicitation specifications for In-Prison Substance Abuse Treatment Services. Conducted discovery and motion practice. Reached an amicable resolution of the issues prior to final hearing.

Bridges of America, Inc. v. Florida Dep't of Corrections, Case No. 16-5237BID (Fla. DOAH Nov. 23, 2016; Fla. FDC Dec. 22, 2016)

- Served as co-counsel in a two-day bid protest hearing at the Florida Department of Administrative Hearings. Defended the Department's solicitation specifications for the procurement of a Community Release Center in Orange County, Florida. Obtained favorable recommended order from the Administrative Law Judge.

Bridges of America, Inc. v. Florida Dep't of Corrections, Case No. 16-2183BID (Fla. FDC May 16, 2016).

- Defended the Department's decision to reject all bids related to the procurement of a Substance Abuse Transition Re-Entry Center in Broward County, Florida. Conducted discovery and motion practice. Reachedan amicable resolution of the issues prior to final hearing.

Oral Arguments

Dimanche v. Brown, et al., 783 F.3d 1204 (11th Cir. 2015) (argued February 13, 2015)

DiPalma v. Dep't of Management Services, 300 So. 3d 783 (Fla. 2d DCA 2020) (argued June 10, 2020).

o Archived Oral Argument Video

Federal Appellate Decisions – 11th Circuit

Lonergan v. Florida Dep't of Corrections, 623 F. App'x 990 (11th Cir. 2015)

<u>Jacobs v. Gielow, et al.</u>, 640 F. App'x 845 (11th Cir. 2015)

O'Connor v. Kelley, et al., 644 F. App'x 928 (11th Cir. 2016)

Magwood v. Jones, 652 F. App'x 841 (11th Cir. 2016)

Barcelona v. Secretary, Florida Dep't of Corrections, 657 F. App'x 896 (11th Cir. 2016)

Alsobrook v. Alvarado, 656 F. App'x 489 (11th Cir. 2016)

State Appellate Decisions – Florida Supreme Court

Hernandez v. Florida Dep't of Corrections, 177 So. 3d 1266 (Fla. 2015) (table)

Magwood v. Florida Dep't of Corrections, 182 So. 3d 633 (Fla. 2015) (table)

State Appellate Decisions – Florida District Courts of Appeal

Murzike v. Florida Dep't of Corrections, 164 So. 3d 26 (Fla. 1st DCA 2015)

Daniel v. Florida Dep't of Corrections, 183 So. 3d 1081 (Fla. 1st DCA 2015)

Castillo v. Florida Dep't of Corrections, 174 So. 3d 452 (Fla. 1st DCA 2015)

Hill v. Jones, 172 So. 3d 872 (Fla. 1st DCA 2015)

Wromas v. Florida Dep't of Corrections, 201 So. 3d 648 (Fla. 3d DCA 2015)

Lundberg v. Florida Dep't of Corrections, 178 So. 3d 401 (Fla. 1st DCA 2015)

Whitfield v. Florida Dep't of Corrections, 181 So. 3d 1191 (Fla. 1st DCA 2015)

Cave v. Florida Dep't of Corrections, 180 So. 3d 639 (Fla. 1st DCA 2015)

Murzike v. Florida Dep't of Corrections, 181 So. 3d 487 (Fla. 1st DCA 2015)

Murzike v. Florida Dep't of Corrections, 182 So. 3d 643 (Fla. 1st DCA 2016)

Richardson v. Florida Dep't of Corrections, 182 So. 3d 644 (Fla. 1st DCA 2016)

Datus v. Florida Dep't of Corrections, 184 So. 3d 520 (Fla. 1st DCA 2016)

Salmonson v. Bondi, et al., 187 So. 3d 1238 (Fla. 1st DCA 2016)

Rodriguez v. Florida Dep't of Corrections, 184 So. 3d 524 (Fla. 1st DCA 2016)

Mency v. Florida Dep't of Corrections, 190 So. 3d 66 (Fla. 1st DCA 2016)

<u>Luis M. Harris v. Florida Dep't of Corrections</u>, 226 So. 3d 817 (Fla. 1st DCA 2017)

Ray v. Florida Dep't of Management Services, 279 So. 3d 635 (Fla. 1st DCA 2019)

DiPalma v. Florida Dep't of Management Services, 300 So. 3d 783 (Fla. 2nd DCA 2020)

Casanas, et al., v. Tandron, et al., No. 3D23-1330 (Fla. 3d DCA Jan 15, 2025) (primary author of briefs)