BERGER SINGERMAN
FLORIDA'S BUSINESS LAW FIRM



NICOLE LEVY KUSHNER

Partner

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Nicole Levy Kushner is a partner on Berger Singerman's Dispute Resolution Team and a skilled trial lawyer in high-stakes, complex commercial litigation in state and federal court. She represents real estate developers, landlords, and tenants in contract disputes. She also represents clients in business litigation involving breach of fiduciary obligations, breach of contract, fraud claims, and other business torts.

Nicole is a triple Gator, earning her Bachelor of Science (B.S.) from the University of Florida, her Master of Business Administration (M.B.A.) from the University of Florida's Hough Graduate School of Business, and her Juris Doctor (J.D.) from the University of Florida Levin College of Law.

Nicole's approach to client service is rooted in providing practical and tailored solutions to meet her clients' business and legal goals. She is committed to understanding her clients' unique challenges and offering thoughtful guidance to navigate complex litigation effectively and efficiently.

Education

J.D., University of Florida Frederic G. Levin College of Law
M.B.A., University of Florida Hough Graduate School of Business
B.S.B.A., University of Florida

Bar Admissions

Florida
U.S. District Court, Southern, Middle, and Northern Districts of Florida

Practice Teams

Dispute Resolution

Practice Areas

Complex Commercial Litigation
Construction Litigation
Real Estate Litigation

Representative Matters

- Represent clients in complex real estate and business litigation, including defense of joint venture/partnership claims.
- Successfully obtained a Final Judgement in favor of an affiliate of the Simon Property Group, the largest shopping mall operator in the United States, in a specific performance action against Seritage SRC Finance, LLC, the present owner of a significant portion of Sears' real estate portfolio, to enforce its right to purchase the former Sears site at the Town Center of Boca Raton Mall, which was affirmed on appeal.
- Trial Counsel to Forbes/Cohen Florida Properties, L.P. and The Gardens Venture LLC in a real estate dispute adverse to Dick's Sporting Goods and Transform Operating Stores, LLC, Sears' successor in interest to the lease at the Sears store at the Gardens Mall in Palm Beach Gardens, FL.
- Represented Fortune 500 company in a dispute over control of a Florida LLC created to re-develop a 32-acre mixed use parcel in South Florida for a multi-million dollar project.
- Represented South Florida manufacturer in an action against former shareholders and officers seeking an injunction for misappropriation of trade secrets under Florida law.
- Represented private lender in foreclosing a commercial mortgage, seeking to recover millions of dollars in damages for breach of a promissory note, and enforcing personal guaranties.
- Represented owner and operator of South Florida hotel properties in defense of actions brought pursuant to the Americans with Disabilities Act.
- Represented owner and operator of Miami Beach hotel property in defense of nuisance claims brought by neighboring condominium association.

Awards & Honors

- *The Best Lawyers in America®,* "Ones to Watch" 2022-2025
- *Florida Super Lawyers,* Rising Star, 2022-2026

Community Activities / Associations

- The Federal Bar Association - Broward County Chapter, 2020-present
  - President-Elect (2026-2027)
  - Vice President

    - Secretary
    - Chair, Pro Bono Committee
    - Chair, Civics Committee
- The Florida Bar Civil Procedure Rules Committee, 2019-2025
- The Florida Bar Rules of General Practice and Judicial Administration Committee, 2021-2025
- American Bar Association, Litigation Section, Business Torts & Unfair Competition Committee
    - Co-chair, Young Advocate Subcommittee, 2020-2021
- Anti-Defamation League Civil Rights Committee, 2017- 2020
- Greater Miami Jewish Federation Sunset Over Miami Host Committee, 2015-2019
- Greater Miami Chamber of Commerce
    - Leadership Miami ®, Class of 2017

In the News

Nicole Levy Kushner Named President-Elect of Federal Bar Association's Broward Chapter
September 30, 2026

Twenty-One Berger Singerman Attorneys Recognized in 2026 Edition of Florida Super Lawyers
June 26, 2026

Nicole Levy Kushner Sworn In as Vice President of the Federal Bar Association, Broward County Chapter
October 1, 2025

Twenty-Three Berger Singerman Attorneys Recognized in 2025 Edition of Florida Super Lawyers
June 26, 2025

Fifty-Six Berger Singerman Attorneys Recognized in the 2025 Edition of Best Lawyers In America
August 15, 2024

Forty-Three Berger Singerman Attorneys Recognized in the 2023 Edition of Best Lawyers In America
August 18, 2022

Twenty-three Berger Singerman Attorneys Recognized in 2022 Edition of Florida Super Lawyers
June 27, 2022

Thirty-Nine Berger Singerman Attorneys Recognized in the 2022 Edition of Best Lawyers In America
August 19, 2021

Berger Singerman Announces 2021 Elevations
January 5, 2021

Publications

American Bar Association "Beware of Your Broker: Duties Arising from Agency Representation of Real Estate Professionals"
July 8, 2020

Law360, "Florida Private Trials An Attractive Option During COVID-19"
March 23, 2020

Events & Speaking Engagements

Nicole Levy Kushner, Panelist, "Complex Discovery Issues and Corporate Assertions of Privilege" ABA Litigation Section Roundtable
August 24, 2021

Doing Business in Florida Blog

Hurricane Damage Caused by Flying Debris. Who’s Liable?
June 21, 2018

Medical Marijuana in Florida: The Prospects of Amendment 2 and the Rise of Charlotte's Web
October 9, 2016

Medical Marijuana Bill Presented to Florida Governor
March 14, 2016

Déjà vu: Claim and Issue Preclusion
September 21, 2015

Prior Affiliations

- Duane Morris LLP