

Evan M. Malloy

Senior Counsel

emalloy@foley.com

Tampa

813.225.4105



Evan Malloy is an experienced commercial litigator and construction lawyer. He handles all manner of commercial litigation matters, including but not limited to, business and shareholder disputes, non-compete litigation, evictions, fraud, declaratory relief actions, injunctions, trade secret litigation, horizontal and vertical construction disputes, payment and performance bond issues, and lien claims. Evan is capable of handling such matters from start to finish, including pre-suit negotiations, prosecuting and defending lawsuits, motions practice, discovery, mediation, trial or arbitration, and appeals.

Additionally, Evan has a particular focus in drafting and negotiating all forms of AIA construction agreements on behalf of owners, architects, engineers, contractors, and subcontractors. He does so efficiently and with the added knowledge of his years of construction litigation experience, which he leverages to forecast real-world legal issues and advise his clients. While Evan enjoys the courtroom above all else, he has the drive and acumen to resolve disputes in his clients' favor without litigation or to avoid further litigation, as appropriate.

Evan is a member of the Commercial Litigation Practice Group and the Manufacturing and Supply Chain Sectors.

Representative Experience

Appellate Decisions

- *Endurance Am. Specialty Ins. Co. v. L. Pellinen Constr., Inc., et al.*, 2021 WL 5264673 (11th Cir. Nov. 12, 2021)
- *Riverside Heights Development, LLC v. City of Tampa and Ulele, Inc.*, 313 So. 3d 776 (Fla. 2d DCA 2020)
- *Dept. of Rev. v. Bell*, 290 So. 3d 1060 (Fla. 2d DCA 2020)
- *Hayslip v. U.S. Home Corp.*, 276 So. 3d 109 (Fla. 2d DCA 2019)
- *Busch v. Lennar Homes, LLC*, 219 So. 3d 93 (Fla. 5th DCA 2017)

- *Warke v. Lennar Homes, LLC*, 242 So. 3d 337 (Fla. 2d DCA 2018)

Affiliations

- Board of Directors, Bay Area Legal Services

Presentations and Publications

- “The Impact of Bankruptcy on Construction Law Rights,” CONSL FL-CLE 16-1 (2018)
- “Three-Dimensional Printing and a Laissez-Faire Attitude Towards the Evolution of the Products Liability Doctrine,” 68 Fla. L. Rev (2016)

Sectors

- [Manufacturing](#)
- [Supply Chain](#)

Practice Areas

- [Commercial Litigation](#)
- [Construction](#)
- [Litigation](#)

Education

- University of Florida Levin College of Law (J.D., 2016)
 - Member, Order of the Coif
 - Articles Editor, *Florida Law Review*
 - Member, Florida Blue Key
 - Associate Justice, University of Florida Supreme Court
 - Mentoring Chair, Law Student Division of The Florida Bar
- University of Central Florida (M.P.A., 2013)
- University of Central Florida (B.S., 2011)

Admissions

- Florida
- All Florida state and federal courts
- U.S. Court of Appeals for the Eleventh Circuit