

## Black, Srebnick, Kornspan & Stumpf, P.A.

### Protecting Individual Rights



Scott Kornspan, Roy Black and Howard Srebnick

Roy Black is one of the most celebrated trial lawyers in the nation with a client list that includes high-profile politicians, entertainers, business executives and professional athletes. But he understands that mounting a successful criminal defense or managing a complex civil case requires a team of talented attorneys and support staff.

“Our firm has the skilled and experienced people to help clients through an immediate crisis, conduct a thorough review of the evidence, and bring their trial and appellate skills into the courtroom,” says Black, the founder of Black, Srebnick, Kornspan & Stumpf, P.A., (BSKS) in Miami.

Like Black, partners Howard Srebnick and managing partner Scott Kornspan are committed to protecting the rights of individuals facing criminal charges or civil suits. “We are very proud of the work we do for our clients and the contributions we can make to society,” says Kornspan, who guides the 15-attorney firm.

Active in legal associations on a local, state and national level, the firm’s partners are committed to teaching trial skills to law students at the University of Miami School of Law, and defending individual access to the courts.

“One of mankind’s great inventions is the adversary system of justice,” says Black. “Yet, our trial system has been quietly under attack for the past 30 years. Our constitutional rights and civil liberties are being eroded, and many people are either afraid to go to court or find their access blocked. As attorneys, we have a responsibility to defend the system and prevent it from being dismantled.”

## **A Premier Defender**

Before Black became one of the nation's most high profile trial attorneys, he was a public defender in Miami. He started his career in 1970 and quickly gained extensive trial experience. In 1976, he went into private practice and founded what is now the BSKS firm, which is still going strong nearly 40 years later.

With his tenacity, trial skills and ability to build rapport with judges and juries, Black began building a long string of courtroom victories for high-profile clients in the 1980s like police officers Luis Alvarez and William Lozano and banker Fred De la Mata. In 1991, he successfully defended William Kennedy Smith on rape charges in Palm Beach, a case extensively covered by the worldwide media.

Other noteworthy cases include the successful defense of a publicly traded outdoor advertising firm charged with manslaughter in a bus bench electrocution in Miami; a Fortune 500 supermarket chain charged with manslaughter in the death of a shoplifter; and legendary artist Peter Max in a tax evasion case in New York.

Today, Black continues to defend clients on charges ranging from murder to securities fraud, bank fraud, healthcare fraud, money laundering, racketeering, Internet sex crimes, mail and wire fraud and tax evasion.

"In many law firms, one partner brings in the business, but doesn't have time to focus on the case," says Black. "That's not the case in our firm. We take fewer cases, but put in more time because the stakes are so high for our clients."

Black adds that the firm's attorneys are often called into a case at an early stage when clients find out they are under investigation. "Coming in at the beginning gives our legal team a big advantage because these cases are complex and have a long learning curve," he adds.

Black points out that there are many criminal investigations where a client retains the firm before any charges are filed, adding, "In some cases we have been able to skillfully navigate where no charges were ever filed and in other instances many of these matters were resolved short of indictment on very favorable terms for the client."

## **Growing the Firm**

In 1993, Kornspan joined the firm and became managing partner three years later. Under his direction, BSKS gradually added more attorneys and expanded its capabilities.

"Roy is frequently sought out for criminal and civil cases," Kornspan says. "We have built a highly focused and very talented team around Roy so that our criminal and civil division clients have the best possible representation."

In 2002, BSKS added a civil division to provide more comprehensive litigation services to our clients. "Our civil division often handles matters for highly successful and entrepreneurial business executives and owners, professional athletes and entertainers," Kornspan says.

In recent years, the firm has handled almost as much civil litigation as criminal defense cases. The firm has represented the visionary developer of the Seminole Hard Rock Casino in Hollywood – a case that changed the entertainment landscape in South Florida – in a suit filed against it by Donald Trump. BSKS also represented Rolls Royce in a series of state and federal court cases, when cruise lines alleged Rolls Royce's engines had malfunctioned.

## Handling a Supreme Court Appeal

One of the firm's more versatile courtroom attorneys is Srebnick, who clerked for two federal judges then spent three years with the Federal Public Defender's office in Miami before joining the firm in 1995. Srebnick soon began handling high-profile cases, involving money laundering, racketeering, tax evasion and public corruption.

He was trial counsel, along with Black, in the criminal tax fraud trial of Helio Castroneves, and won an acquittal for the three-time Indy 500 winner and "Dancing with the Stars" champion and his sister Katiucia. He was also lead trial counsel for NFL Super Bowl wide receiver Tony Martin, who was acquitted of money laundering charges following a three-week federal trial in Miami.

Srebnick has also briefed and argued numerous cases in the state and federal appellate courts. In 2013, the Supreme Court of the United States granted a petition for a writ of certiorari he drafted, giving him a rare opportunity to argue before the court in *Kaley v. United States*, addressing the rights of criminal defendants to have an immediate hearing when the government freezes assets needed to retain counsel of choice.

"In several of our criminal cases, we have seen the government conduct a prosecution in order to confiscate private property," says Srebnick. "When government stands to make a profit and fund its operations by pursuing a conviction, it loses its objectivity."

Black agrees, adding, "The federal government has found that it's easier to prosecute people if you first take away their assets, and Howard's argument before the high court spoke directly to that issue."

Kornspan says the veteran BSKS attorneys, who include long-time partners Maria Neyra, Jackie Perczek, Mark Shapiro, Jared Lopez and Marcos Beaton, take much pride in the work they do and will continue to vigorously represent their clients at the trial and appellate levels.

As Srebnick says, "We bring experience and credibility to the courtroom. We fight for our clients within the bounds of the law, while protecting the integrity of our nation's legal system."