



SHANE T. COSTELLO

Shareholder

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BOARD CERTIFIED BY THE FLORIDA BAR

Board Certified in Business Litigation

PRACTICE FOCUS

Real Property Litigation
Litigation

Probate, Trusts & Fiduciary Litigation

Commercial Landlord/Tenant
Eminent Domain

Bankruptcy Litigation

Land Use & Development Rights

Trusts & Estates

EDUCATION

Georgetown University, B.A., 2004

Florida State University
College of Law, J.D., 2009, *cum laude*

- Judicial Clerk for the Supreme Court of Botswana

Shane Costello is a problem solver who is dedicated to helping clients achieve their strategic business goals through the litigation process, with a focus on understanding each client's mission and delivering diligent, responsive service and practical advice that balances both legal and economic considerations.

Shane is Board Certified by the Florida Bar in Business Litigation and focuses his practice on litigation concerning real estate and land use issues, complex commercial matters, and trust and estate disputes. He has over 15 years of experience prosecuting and defending lawsuits involving: zoning and land use issues, title and boundary issues, easements, restrictive covenants on real property, takings claims and condemnation actions, state and local permitting issues, breach of contract, non-competition and non-solicitation covenants, tortious interference with contract, fraud, breach of fiduciary duty, deceptive and unfair trade practices, corporate and partnership disputes, commercial landlord/tenant matters, and other business torts and real property issues.

Shane also handles many appeals in Florida's District Courts of Appeal and Circuit Courts arising from land development approvals and denials, as well as other civil appeals in a broad range of contexts.

He also practices in trust and estate litigation, and has handled various matters for fiduciaries and beneficiaries, including cases involving breach of trust and trustee removal, undue influence, and tortious interference with expectancy of inheritance.

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- Journal of Land Use and Environmental Law: Articles and Notes Editor
- Journal of Transnational Law and Policy: Articles and Notes Editor
- Distinguished Pro Bono Award

BAR ADMISSIONS

American Bar Association
The Florida Bar
Hillsborough County Bar Association

In his free time, Shane enjoys outdoor activities, running, and spending time with his wife and son.

HONORS

- AV Preeminent® Rating, Martindale-Hubbell Peer Review
- *The Best Lawyers in America*® (2022-2026)
- Florida Super Lawyers (2023-2025)
- Florida Super Lawyers Rising Star (2016-2019)
- Florida Trend's Legal Elite (2020)
- Florida Trend's Legal Elite - Up and Comers (2015-2018, 2022)
- Tampa Bay Business Observer 40 Under 40 (2019)
- Thirteenth Judicial Circuit Pro Bono Lapel Pin Recipient (2015)

EXPERIENCE

Real Estate and Land Use

- Lead trial counsel for publicly traded real estate investment trust in defense of a claim to ownership of two acres of submerged land in front of client's waterfront luxury hotel property. After five-day bench trial, court entered judgment in favor of client.
- Trial counsel for owner of 12 acres of historically industrial waterfront property suitable for development of approximately 400 multi-family units, in lawsuit against railroad concerning access to the property over the railroad right-of-way. Railroad refused access for multi-family use. Obtained summary declaratory judgment in favor of client allowing access for multi-family development. Handled argument and briefing for the summary judgment hearing.
- Lead trial counsel in successful defense of title and boundary claims against real estate owner/developer's \$1 billion mixed-use development.
- Lead counsel for apartment developer bringing lawsuit against municipality for unconstitutional exactions and violation of constitutional rights of due process and equal protection in connection with apartment development. Municipality paid \$700,000 to settle the case.
- Lead counsel for retail developer defending citizen appeal of rezoning approval by Hillsborough County, court ruled rezoning unlawful and client's development could proceed.
- Represented developer in defense of citizen appeal of City of Tarpon Springs' rezoning allowing a 404-unit apartment complex

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along the Anclote River, in a 53-page order the court ruled in client's favor on every argument and found the rezoning was lawful such that development could proceed.

- Obtained \$54 million deficiency judgment and foreclosure judgment in favor of a private lender in heavily contested foreclosure of large-scale mixed use development.
- Defended developer of a commercial retail development against claims by environmental group challenging land use approvals – after six months of litigation and on the eve of trial, environmental group voluntarily dismissed the case.
- Trial counsel for developer in two lawsuits filed in Sarasota County by objectors to client's proposed 1,100 single-family home development – both lawsuits resulted in judgment for client, allowing development to proceed.
- Represented plaintiff developer in appeal of Hillsborough County's denial of rezoning of agricultural/rural property to develop 204 single family homes, court ruled County's rezoning denial unlawful, requiring County to rezone the property and allow the development to proceed.
- Represented commercial retail landlord in defense of lawsuit brought by tenant to invalidate radius restriction in lease – tenant agreed to pay \$1.15 million for release of the radius restriction.
- Obtained summary judgment on behalf of commercial retail landlord in defense of claims of tortious interference by tenant seeking in excess of \$750,000 in damages.
- Represented hotel owner in defense of lawsuit brought by neighboring property owner/developer to invalidate a restrictive covenant benefitting the property of the hotel owner – neighboring property owner agreed to pay \$930,000 to client hotel owner in exchange for a modification to the restrictive covenant.
- Represented national homebuilder seeking emergency writ of mandamus requiring local government building official to issue certificates of occupancy on homes. Within 11 days of filing the Petition, the Court issued the writ of mandamus and the building official issued the COs.
- Lead trial counsel for seller of commercial real estate in breach of contract action, plaintiff sought over \$250,000 in damages and jury awarded only \$7,000.

Commercial Litigation

- Defended manufacturing client in complex commercial arbitration involving breach of contract claims seeking approximately \$8

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million in damages – arbitration panel after two-week arbitration ruled that no breach had occurred.

- Represented plaintiff investor in multi-million dollar software technology partnership dispute – obtained 100% of damages and attorneys' fees.
- Trial counsel in jury trial for defrauded investor in sale of stock in closely held corporation – recovered 100% of damages plus attorneys' fees.
- Lead appellate counsel representing defendant brokerage company in breach of contract action, obtained reversal of trial court's issuance of temporary injunction against client, decision reported at *Gulf Coast Commercial, LLC v. KOS Corp., et al.*, 351 So. 3d 1212 (Fla. 2d DCA 2022).
- Represented political-action committee in dispute with municipality over allowing proposed amendment to city charter on the election ballot – amendment was allowed on the ballot.

Trust and Estate Litigation

- Successfully represented personal representative of \$100-plus million estate and trustee of various trusts in defending against claims against the estate and trusts in excess of \$15 million.
- Obtained dismissal of lawsuit against defendant trustee defending claims of breach of trust, breach of fiduciary duty, undue influence, duress, and tortious interference with expectancy.

COMMUNITY & PROFESSIONAL

- American Bar Association
 - Vice Chair of Real Property Division Litigation and Ethics Group
 - Past Chair of Real Property Litigation and Alternative Dispute Resolution Committee, ABA Real Property, Trust and Estate Law Section
 - Past Vice-Chair of Real Property Litigation and Alternative Dispute Resolution Committee, ABA Real Property, Trust and Estate Law Section
 - Past Chair of Young Lawyer's Division, ABA Real Property, Trust and Estate Law Section
 - Past Vice-Chair of Young Lawyer's Division, ABA Real Property, Trust and Estate Law Section
- Advisory Board, South Tampa Family YMCA: 2016-2023

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- Director of Community Service Projects, Georgetown University Alumni Club of Tampa Bay
- Crossroads for Florida Kids, Attorney ad litem: 2014-present
- The Florida Bar: Real Property, Probate and Trust Law Section

NEWS & INSIGHTS

Seventy-Seven Hill Ward Henderson Attorneys Recognized in the 2026 Edition of *The Best Lawyers in America*® and *The Best Lawyers: Ones to Watch*® in America
Firm News, 8.21.25

Fifty-Eight Hill Ward Henderson Attorneys Named to 2025 Florida Super Lawyers List
Firm News, 6.26.25

Eighty-Three Hill Ward Henderson Attorneys Cited in The Best Lawyers in America 2025 Publication
Firm News, 8.15.24

Fifty-Seven Hill Ward Henderson Attorneys Recognized in 2024 Florida Super Lawyers Listing
Firm News, 6.24.24

Twenty-Nine Hill Ward Henderson Attorneys Recognized in *Tampa Magazine's* 2024 Top Lawyers
Firm News, 1.3.24

Eighty-Three Hill Ward Henderson Attorneys Cited in The Best Lawyers in America 2024 Publication
Firm News, 8.17.23

Sixty-one Hill Ward Henderson Attorneys Recognized in 2023 Florida Super Lawyers Listing
Firm News, 6.27.23

Eighty-One Hill Ward Henderson Attorneys Cited in The Best Lawyers in America 2023 Publication
Firm News, 8.18.22

Florida Trend Names Hill Ward Henderson Attorneys to 2022 Hall of Fame and Legal Elite
Firm News, 6.29.22

Seventy Six Hill Ward Henderson Attorneys Cited in The Best Lawyers in America 2022 Publication
Firm News, 8.19.21

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Shane T. Costello Attains Board Certification
Firm News, 11.10.20

Florida Trend Names Hill Ward Henderson Attorneys to Hall of Fame,
Legal Elite, and Up & Comers
Firm News, 6.22.20

Shareholder Shane T. Costello Recognized As A 2019 Business
Observer 40 Under 40 Winner
Firm News, 10.21.19

Shareholder Shane T. Costello Receives AV Preeminent Martindale-
Hubbell Rating
Firm News, 8.30.19

Hill Ward Henderson Elects Five Shareholders
Firm News, 1.11.19

Florida Trend Names Hill Ward Henderson Attorneys To Hall Of Fame,
Legal Elite, And Up & Comers
Firm News, 7.2.18

Hill Ward Henderson Attorneys Named 2018 Florida Super Lawyers
Firm News, 6.25.18

Florida Trend Names Hill Ward Henderson Attorneys to Hall of Fame,
Legal Elite, And Up & Comers
Firm News, 6.22.17

Hill Ward Henderson Attorneys Named 2017 Florida Super Lawyers
Firm News, 6.8.17

Hill Ward Henderson Attorney Elected To YMCA Board
Firm News, 5.16.17

Hill Ward Henderson Attorneys Named 2016 Florida Super Lawyers
Firm News, 6.15.16

Florida Trend Names Hill Ward Henderson Attorneys to Hall of Fame,
Legal Elite and Up & Comers
Firm News, 7.9.15

Shane Costello Joins Hill Ward Henderson
Firm News, 5.20.13

ARTICLES & PUBLICATIONS

- Takings Law: Compensation to Landowner for Government's Encouragement of Public's Use of Property. ABA Real Property, Trust, and Estate Law Committee Young Lawyers Division, Summer

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2018 Newsletter.

- Speaking Presentation on Proposals for Settlement / Offers of Judgment for The Florida Bar – Basic Settlement and Alternative Dispute Resolution Panel, February 24, 2017.
- The Enhanced Injury Doctrine: How the Theory of Liability Is Addressed in a Comparative Fault World. (April 1, 2012.) *Defense Counsel Journal*.