

Kelley/Uustal's Bob Kelley Swims With The Sharks — And Dolphins

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Bob Kelley, who has won a \$300 million tobacco verdict, is the founder of a bar association for lawyers who dive.

The more time you spend in South Florida, Bob Kelley says, the more you realize just how much there is to do in the water.

The renowned plaintiffs attorney would know: He has a lifetime of exploring the region's underwater attractions under his belt. He's also the founder of the world's first — and, to his knowledge, only — underwater bar association, and his tales of group outings are sure to arouse the envy of any non-coastal-dwelling colleague.

There's the time Kelley and DiveBar took a trip to the Bahamas to swim among 10-foot tiger sharks in their breeding ground. Then there's the Belize dive in which they encountered some unexpected visitors.

"We were in 100 feet of water, crystal clear, waiting to see whale sharks, because they spawn there the time of year we were there, creatures 50 to 100 feet long," Kelley said. "And while we were waiting to see sharks, a big school of dolphins came in — they were playing with us, watching us. ... It was a spectacular day."

Kelley, the managing partner of Kelley/Uustal PLC, is best known for winning a client \$300 million — one of the largest-ever tobacco company verdicts for an individual — and for winning a wrongful death trial against General Motors Corp. that drew national attention.



Bob Kelley

Kelley is especially well known for his persuasive closing arguments, according to longtime friend and Florida Circuit Judge Thomas Lynch. The judge frequently brings on interns, and whenever a Kelley case is wrapping up, he sends them to watch.

"He's one of my go-to people to teach the interns, because he's so good, he's so personable," said Judge Lynch, who has known Kelley since they met in the lap pool 30 years ago. "His closing arguments are amazing, and so when he's in trial and I have interns, I send them to watch him rather than watch me."

Out of court, though, the sun-kissed, flip-flop wearing South Florida native is more apt to brag about his four daughters or a recent scuba trip than his headline-making legal exploits.

And despite diving almost all his life, it was only recently that Kelly thought to combine his professional passion with his hobby — an idea that came to him one day in 2011 at his house in the Keys.

Kelley sent an email blast to hundreds of area lawyers and judges, pitching his idea for a bar association of legal professionals who like to dive. Kelley's note drew a strong response, and soon after the founding members held their first meeting, they registered DiveBar as a nonprofit and bar association.

The group has grown to about 180. They meet a handful of times a year for day trips in dive destinations around South Florida and once or twice a year for trips overseas.

DiveBar board member David Black, a Berger Singerman LLP attorney, credits the group as a key factor in his professional growth — and its personable founder as the main figure behind DiveBar's success.

"Unlike a lot of lawyers who get good, get known nationally because their whole life is their law practice, Bob is down in the Keys, wearing flip-flops on the weekends," Black said. "He's diving, fishing, traveling with his wife, a great family man."

A few years ago, DiveBar partnered with the oceanographic department at Nova Southeastern University, where Kelley earned his law degree, to grow a new coral reef off the Fort Lauderdale coast. The school has been cultivating colonies of coral in its nursery, and every few months, DiveBar members transplant new patches of reef to the sea floor.

The group also partners with Diveheart, an organization that teaches people with disabilities to dive. Kelley remembers being moved by one pupil, an Iraq War veteran who had lost all four limbs. Aside from needing a little help putting on his gear and swimming, the veteran was just like anyone else in the water, Kelley recalls. But back on the surface, the veteran kept blinking after his mask was taken off. Kelley asked what was wrong.

"If you're like me, you just take your hand and wipe it all off," Kelley said. "Suddenly, it hit me: He can't even wipe the water out of his eyes. It was a powerful moment for me, because it really made me appreciate what those guys go through."

For Kelley, exploring a reef or swimming with dolphins provides a valuable opportunity to be present in the moment, avoiding thoughts of lawsuits or any other distractions. In some ways, Kelley's legal practice couldn't be any further from his hobby, but in others, they're the same: Kelley won't be giving up either anytime soon.

"They're different, but they're both exhilarating," Kelley said. "That's just the word I would use for both of them. Different, but they're great. Wouldn't trade them for the world."

Secret Lives of Lawyers is a series on attorneys' novel pursuits outside the courtroom. In the last installment, ***we spoke*** with Hirschler Fleischer PC's Courtney Moates Paulk, who is an open-water marathon swimmer.