

## Carmen Y. Cartaya

SHAREHOLDER ■ FORT LAUDERDALE, FL

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For more than three decades, Carmen Y. Cartaya has successfully tried civil litigation matters across a variety of specialties including maritime and admiralty law, equine law, medical malpractice, general insurance defense, professional errors and omissions, rehabilitation facilities, home health care and specialty long-term-care hospital liability, commercial litigation and defense of national class actions.

Carmen has extensive experience in maritime law, having served as general counsel to the largest container leasing company in the world, preparing and negotiating leases and contracts and managing all aspects of litigation for the company. She has defended major cruise lines and concessionaires to the cruise industry on crew and passenger claims. She has also handled cargo claims and actions in rem, including arrests of commercial vessels.

She has served as lead counsel in the defense of class actions in U.S. district courts across the country, including national class actions that were asserting noncompliance with the Americans with Disabilities Act against major hospital chains. Carmen also has extensive experience representing clients in the equine industry in a range of litigation matters.

Carmen has authored numerous articles, been published in prestigious defense treatises and co-authored a chapter on trial techniques for defending psychiatric malpractice claims. She frequently lectures on medical negligence and long-term-care litigation and conducts mock trial presentations in acute care and long-term-care settings, focusing on medical documentation and its impact on litigation.

Fluent in Spanish, Carmen proficiently handles matters concerning foreign contracts and insurance policies.

### HONORS

- Top Attorneys in Florida, 2019

### PROFESSIONAL & CIVIC INVOLVEMENT

- Carmen is committed to her local community and is active in South Florida community affairs. Since 1994 she has served on the National Parkinson Foundation Board of Directors and is currently on the Emeritus Board.

### PRACTICE AREAS

- [Complex Commercial Litigation](#)
- [Equine Law](#)
- [Maritime & Admiralty](#)
- [Professional Liability](#)

### EDUCATION

- University of Miami, J.D., 1984
- University of Miami, B.A., 1981

### ADMISSIONS

- Florida
- U.S. Court of Appeals, First Circuit
- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Middle District of Florida
- U.S. District Court, Southern District of Florida
- U.S. Supreme Court

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## LANGUAGES

- Spanish
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## Practice Highlights

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### Representative Matters

- Successfully defended a maritime client against a former employee seeking \$6 million in compensatory damages and \$15 million in punitive damages in U.S. District Court, Southern District of Florida.
- Secured a defense judgment in a maritime claim by a crew member against concessionaire with a demand of \$20 million.
- Successfully defended a home health care claim involving the death of a minor.
- Successfully defended a cruise line against a claim by a passenger who suffered severe leg injuries.
- Secured the dismissal of a cruise-line claim on a finding of fraud regarding a passenger who alleged a slip and fall.
- Secured dismissal of a claim of slander and libel by patrons of a restaurant.
- Obtained summary judgment in a claim by clients of a travel agency.
- Obtained summary judgment in a claim by family of a psychiatric patient against psychiatric facility on failure to warn.

## News & Events

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NEWS 11.29.21

### Aleida Mielke Obtains Affirmance from the Eleventh Circuit Court of Appeals

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NEWS 08.12.20

### Carmen Y. Cartaya and Aleida M. Mielke Successfully Defend Maritime Client in U.S. District Court, Southern District of Florida

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NEWS 05.27.20

### In Defense of Long-Term Care Facilities: Immunity, and What to do if There is Not Any

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NEWS 04.01.20

### Malpractice Mitigation: Utilizing Professional Standards as a Defense to Claims of Negligence in Epidemic/Pandemic Events

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NEWS 03.10.20

### Staying Afloat: Berthing a Liability Defense to COVID-19 Claims

Austin, TX | Chicago, IL | Detroit, MI | Fort Lauderdale, FL | Houston, TX | Indianapolis, IN | Jersey City, NJ | New York, NY | Philadelphia, PA | St. Louis, MO

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