

# Resort Torts™

Roundtable 2009



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## Building Serious Cases for Resort Torts

John Elliott Leighton, a plaintiff's attorney, shares his experience and insights

Mr. Leighton... "Resort torts are instances of civil liability for negligent or intentional acts that arise at resort, vacation or in recreational settings." They involve hotel and motel safety, cruise ship litigation, pleasure boating and jet ski incidents, amusement and theme park liability, aquatic, diving and swimming incidents, foreign travel and medical emergencies, gaming and casinos, aviation, rental car liability, moped, bicycle and motorcycle safety, buses and tour guides, travel industry liability for crime victims, and medical care provided to vacationers.

"These are a wide variety of cases, but they all have one thing in common: people are exposed to risks while traveling, vacationing or engaging in resort or pleasure activities," says Leighton.

Florida is a key resort destination. Since tourists are less aware of dangers; it becomes the responsibility of the business to provide safety measures. Ultimately, there are higher obligations owed to the tourists.

Florida is a tourist haven, with 82 million visitors each year. "Frankly, Florida is saturated with places to stay and things to do. The draw to the state includes 1,200 miles of gorgeous sandy beaches and more than 8,000 lakes. The activities are abundant in this state. The truth is that there are many hazards hidden from tourists who are unaware of the dangers they could face, which makes every property owner or occupier responsible for keeping their premises in a reasonably safe condition to protect their 'invitee'."

Today's law says that the duty of the hotel owner and operators are to keep their premises safe and free from obstruction or danger. In addition, owners of hotels,

resorts, golf resorts, amusement or theme parks must display timely and clear notice of any danger that could be unknown to the "invitee." The law also provides that owners/operators of hotels, resort, or amusement parks are liable for the acts of their employees and respective agents.

"Negligent security cases involving hotels, resorts, and amusement and theme parks typically involve criminal assaults, such as robberies and sexual assaults. The law governing negligent security cases is largely a derivative of general premises liability law." The one who possesses the property is responsible for the care to the public. They must protect them from negligence, and reasonably foreseeable intentional acts of third parties. Owners are obligated to provide adequate warning or protection. An act is likely to be considered negligent if it occurs because adequate protection was not provided."

Cases vary, responsibility can change from case to case. The following are some cases that have set some tests for negligence: The responsibility falls on the bar or nightclub if there is a history of violence and the management fails to have proper security. [*Adelsperger v. Riverboat, Inc.*] The responsibility falls to the bar or nightclub if the proprietor knows or should have known the likelihood of disorderly conduct by third parties exists. [*Allen v. Babrab, Inc.*] It is the responsibility of the bar to take every measure to maintain order among the patrons, employees, as well as anyone else who comes upon the premises.

### Cruise Ship, Motorboat, and Jet Ski Liability

Entire volumes could be written about cruise ships, motorboats, and jet skis. Here, we can only touch on a few areas of importance. In the United States, claims for personal injuries and deaths that occur on or near navigable waters generally fall within a court's admiralty

jurisdiction and require the application of Maritime Law, which is Federal Law. Federal Maritime Law provides that an owner of a ship in navigable waters owes everyone on board reasonable care. Because Federal Maritime Law only applies if the injury or death occurred in navigable waters, the location of the incident is crucial to every single case. In 1920, Congress enacted the Death on the High Seas Act (DOHSA): "...whenever the death of a person shall be caused by a wrongful act, neglect, or default occurring on the high seas beyond a marine league (three nautical miles) from the shore of any state the personal representative for the decedent may maintain a suit for damages in the district courts of the U.S." Unfortunately what Congress provided has serious limits. DOHSA only allows for the recovery of pecuniary losses actually suffered by the survivors.

Several cases have addressed the situation where an accident occurs on the high seas but the death occurs elsewhere. In *Howard v. Crystal Cruises, Inc.*, a passenger sustained a laceration while disembarking from a cruise. He was first treated on the vessel and then underwent surgery in Acapulco, Mexico to repair the injury. He returned home to the U.S. and died within a month. His widow filed a wrongful death suit against the operator of the cruise ship. Finding it undisputed that Howard died as the result of a wrongful act that occurred beyond a marine league from the shore of any State, the court applied DOHSA.

Currently, one of the hottest topics of debate in the U.S. courts concerns the nature and scope of the law governing cruise ship medical care. For the past century, most courts in the U.S. have followed the same basic guidelines: when a carrier undertakes to employ a doctor aboard a ship for its passengers' convenience, the carrier is responsible for the doctor and therefore will be held liable if the doctor is considered to be the carrier's employee. In recent years however, few federal and state courts declined to follow the traditional rule and held that such a doctor is an independent contractor, thus not liable for negligent treatment given by its on-board doctor.

Statute of Limitations...there are several litigation road-blocks that frequently occur early on in a claim against a cruise carrier. Federal Maritime Law imposes time constraints. For physical injuries occurring on cruise vessels that touch U.S. ports, passengers have to file a claim within six months and commence a lawsuit within a year.

### Rental Car Liability

Rental car companies reap millions, if not billions of dollars, every year from Florida tourists. Persons injured by rental cars used to be protected under Florida's dangerous instrumentality doctrine, which imposes strict liability upon motor vehicle owners when a non-owner who is driving the vehicle with the owner's permission negligently causes injury. Thus, the rental car company owner would be liable to third persons for injuries caused by the negligent operation or use of the motor vehicle by the person to whom the owner entrusted the vehicle. The policy was founded on the theory that one who originates the

*continued on page 7*

Leighton Law

TRIAL LAWYERS

This special supplement is an overview of the *Daily Business Review's* Resort Torts™ Roundtable held at the InterContinental Miami on May 5, 2009. Leighton Law P.A. and Kubicki Draper P.A. sponsored the event in collaboration with the marketing department of the *Daily Business Review*. This supplement was produced independently of the editorial staff of the *Daily Business Review*.

John Elliott Leighton, a plaintiff's attorney from Leighton Law; and Gregory Prusak, a defense lawyer from Kubicki Draper, provided opening presentations followed by a Q&A session from attendees. Samuel A. Terilli, Jr., from Ford & Harrison LLP, served as moderator.

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TRIAL LAWYERS

## General Principles of Resort and Lodging Liability

This article represents a general overview of the presentation provided by Gregory Prusak of Kubicki Draper, at the Resort Torts Roundtable Discussion.

As many risk managers and insurers are aware in a premises liability claim, the plaintiff's attorney will often send a demand letter that will state "liability is clear," and which will in turn ask for significant damages to resolve the claim. In premises liability claims, liability is seldom clear, and a number of inquires must be made.

The landowner is not an insurer of the public's safety, but the landowner must take reasonable care to correct dangerous conditions that the landowner is aware of. If a landowner did not create a defective condition, and is unaware of its presence on his property, there typically is no breach of duty on their part to third parties injured by that defect. However, that doesn't deter the plaintiffs' attorneys from filing claims or lawsuits for injuries that occur.

Accordingly, in a premises liability claim a number of steps should be followed to determine the liability of the defendant and/or the insured. The first inquiry involves determining the plaintiff's status on the defendant's property, since "status" normally defines the nature of the obligation that is owed. Secondly, whether the plaintiff is an invitee, licensee or trespasser creates a different standard of care requirements for the landowner.

There is a duty to maintain a property and to warn of hidden dangerous conditions not discoverable by the plaintiff. In most premises liability claims involving trespassers, the landowner has some knowledge that third parties are using his property. In these circumstances, the third party is defined as a "known trespasser." It should be noted that an uninvited licensee is the same thing.

The responsibility to a known trespasser is to not willfully or wantonly injure the plaintiff, and to warn of dangerous conditions not open to ordinary observation. Under, Florida Statutes, a trespasser who is injured on an owner's property while being intoxicated or under the influence of drugs, is barred from recovering any civil damages for death or injury, as long as the owner did not cause the injury through gross negligence or intentional misconduct.

In *Barrio v. City of Miami Beach* there was no liability to a plaintiff who was shot and robbed on a public beach at 3:30 a.m. The beach was closed, and the court held that it was foreseeable to the plaintiff that it was dangerous to walk on a city beach at nighttime. The plaintiff was viewed as an uninvited licensee.

The status of a plaintiff may change from invitee to trespasser if the plaintiff exceeds the scope of the defendant owner's invitation. Further, a person's legal status on the property is not determined when they enter the property but rather the status is determined at the time of the injury.

Additionally, the duty to maintain a premise does not belong to the entity that holds a legal title to the property, but rather the duty belongs to the entity taking possession or control of the subject property. [*Haynes v. Lloyd*]. The "ownership and control" defense has been used to shift liability to commercial tenants in control of property that has been leased from the building owner through a written contract. [*Wal-Mart v. McDonald*].

The Fireman's Rule Defense states that no legal duty exists for a landowner to protect an individual on the property who is hired and paid by the owner to correct a specific condition or defect on the property; and the individual is subsequently injured by that condition or defect, i.e. con-

struction workers, landscapers, maids, etc. On the other hand, in *Surat v. Nu-Med Pembroke, Inc.*, the Fourth District reversed the dismissal of a complaint filed by a nurse's aide who sued a hospital for injuries she sustained when she was assaulted by the patient she was hired to watch over. The court stated that the hospital owed the same obligation to the nurse's aide as it did to any other invitee. It is true that the plaintiff/invitee also has a responsibility to avoid open and obvious conditions and defects. The failure to do so gives rise to comparative negligence defenses.

On occasion, summary judgments and verdicts have been entered in favor of business owners in cases where the plaintiff is injured due to a permanent non-defective conditions such as stairways, sidewalks, curbs or asphalt ridges in driveways. In *Aventura Mall Venture v. Olsen*, the Third District reversed a verdict in favor of the plaintiff in a case where the plaintiff broke her ankle while stepping from a cement sidewalk to an adjacent cement driveway. They were the same color and the Plaintiff argued that the sidewalk or curb should have been painted yellow to delineate a change in elevation. The argument was rejected, since the accident occurred on a bright sunny day, and the Plaintiff could have seen the change in elevation if she had watched where she was walking.

There is also generally no liability for permanent conditions such as tiled walkways or stairs which allegedly blend in with the surroundings or which involve step down conditions, so long as the lighting is clear. As well, "natural conditions" such as soil, sand and tree roots that cause a fall and/or injury to the invitee, do not normally expose the property owner to liability. However, if the owner changes or interferes with the condition, then he may become liable.

### Theme Park Liability

Florida, in particular, is the home to many theme parks, amusement parks or similar businesses that cater to the tourist industry. Predictably, the existence of these entertainment venues has led to a lot of litigation for personal injury.

Although a theme park such as Disney World is subject to the same premise liability defenses available to other commercial businesses, there is legal authority in Florida which suggests that there is a "heightened duty of care" regarding the obligation to maintain the premises. Even though there is a heightened duty of care, which eliminates many notice defenses, a theme park can still raise comparative negligence against a plaintiff.

Theme parks can also raise implied assumption of the risk defenses against patrons injured on amusement park rides or other activities such as horseback riding as long as the ride itself is not defective. Assumption of risk defenses establish comparative negligence, in most cases this defense gives rise to a question of fact for the jury. Currently, many theme parks place warning signs or restriction signs for amusement rides that involve some risk of injury. While these warning signs are a good idea, they will not serve as a complete defense to an injury claim.

It's possible to obtain a complete liability defense if the patron executes a valid release related to the ride or activity being offered by the park. However, the release must be clear and unequivocal regarding the risks related to the activity offered. The release's "wording must be so clear and understandable that an ordinary and knowledgeable party will know what he is contracting away."

### Lodging Establishments

Usually, hotels provide services that go beyond renting hotel rooms, such valet parking, spa treatments, jet ski, boat rentals and tours. Some hotels may enter into a contractual relationship with an independent company. Lodging estab-

lishments face exposure to liability if they directly own and/or operate the additional service. If the service is provided by an independent company, the lodging establishment's liability exposure may be eliminated or reduced. It is important that the establishment provide written notice to its guests that these amenities are being provided by third parties. Additionally, there should be a contractual relationship established in writing between these independent companies and the lodging establishment.

In these types of instances, Plaintiffs can file a lawsuit under the theory of negligent entrustment and/or negligent maintenance of the vessel, under a theory of negligent hiring or retention of the independent contractor, or under apparent agency.

Finally, in today's litigious society, a lawsuit charging negligence can cost a company a fortune, being fundamentally prepared with the knowledge of the law and using intellectual points to substantiate a case is eminent in protecting a client's interests and ultimately winning a case.



## Gregory Prusak

### Kubicki Draper

Gregory Prusak is a shareholder in Kubicki Draper, P.A. and practices in the area of insurance defense with an emphasis on trial litigation and has developed a particular expertise in the area of premises liability claims. He has participated in premises liability, products liability and general negligence seminars over the past seven years for a wide variety of insurance clientele. His areas of practice include:

- Automobile
- Construction Defects
- Premises Liability
- Products Liability
- Professional Liability
- Trucking
- Toxic and Hazardous Substances
- Mold

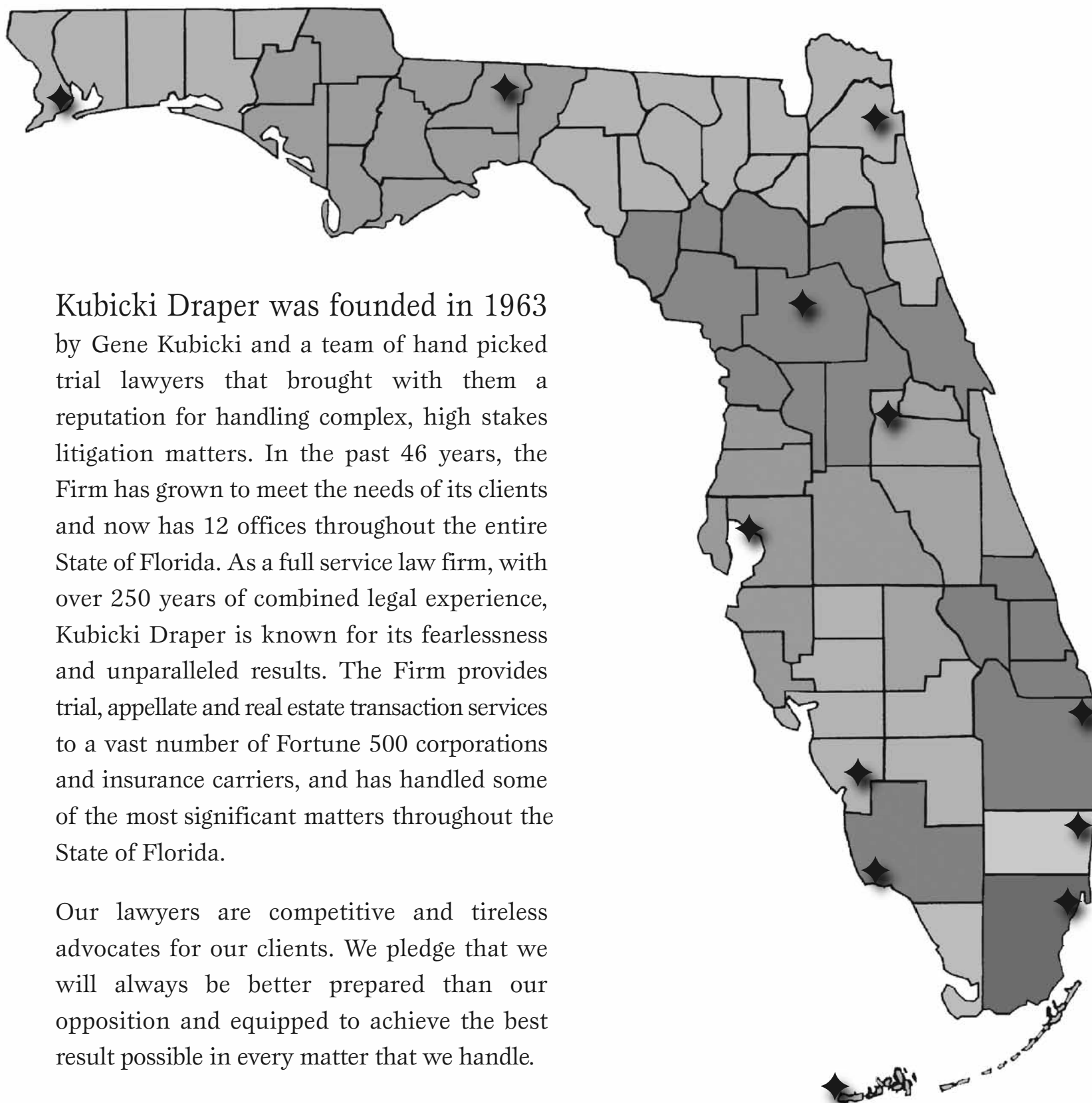
Gregory was admitted to the Florida Bar in 1988, and into the U.S. District Court Southern District of Florida in 1989. He received his B.S. from the State University of New York, Buffalo in 1982, and his J.D. from St. Thomas University School of Law in 1987, where he received several honors and was named in *Who's Who in America Universities and Colleges* in 1982 and 1986. Gregory was also a finalist in 1986 for the International Moot Court.





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# RESORT TORTS

## Q&A

The following is a transcript of the Q&A Session from the Roundtable Discussion, which followed each presentation by John Elliott Leighton (JEL), from Leighton Law; and Gregory Prusak (GP), from Kubicki Draper.

**Q. Non-Profits can at times provide resort like services. Do they have liability? The same liability?**

**A.** Yes they have liabilities. The board members are usually insulated since they are insured, but sometimes they're not, it depends on how the business or organization is set up, but usually the board members are protected. However, although you may not want to go into trial with a sympathetic defendant, it happens, and I've had cases against nonprofits. JEL

**Q. Are there special problems representing tourists that are not within the state?**

**A.** Well it depends where the tourists are from.

There are focus groups that talk about likability, and it's a number one factor in jury cases. How likeable and believable is the defendant? How likeable and believable is the plaintiff? Also a lot of times witnesses are scattered if they're from another country and then you have additional issues to deal with. But I had a case in which tourists were not from here and they sued a local business in Key West, so sure there is a bias. And in many cases, jurors assume that's there's insurance money. But the biggest factor in these cases is gathering all the witnesses.

**Q. What about foreign jurisdiction?**

**A.** There is a recent case in the U.S. Courts against Chevron brought by a New York attorney, in which Chevron said U.S. Court did not have jurisdiction over the case, and so the case was moved to Peru. While in Peru, Chevron claimed they couldn't get a fair trial. Sometimes you have to move the case as a strategy. Though, Florida Courts have become very strict on cases that occur elsewhere. In a Seminole case in the Florida Supreme Court, clearly stated that "We are no longer going to be the world's courthouse." JEL

**Q. What about Resort Torts where the incident occurs in a Mexican hotel, but is owned and operated by a company like in Orlando?**

**A.** It depends on how much of the nexus is here. They look at a number of factors such as: where is most of the

company work done, what is the relationship of hotel and operating company, what is their public and private interests? We had a case in the Dominican Republic regarding an explosion that took place, and we had to fight on the foreign non-convenience. We had to look to see if there is a public factor, and if there's an interest here. This couple was brought to Jackson Memorial Hospital here in Miami, so they had public interest here. You have to prove to get adequate remedy, that you'll get inadequate remedy elsewhere. JEL

**Q. Recreational Activities Waiver: Where are the Courts with that?**

**A.** Courts have a mixed bag with that. Depends on how much of a waiver there is. Recent case law says that waivers for minor children don't have any effect. But there are some waivers that are effective if it is specified appropriately. But usually they are not upheld in court because the court says "you cannot release yourself from your own negligence." It's a case by case because some are upheld. JEL

**A.** But with the Florida Equine Statute, you can make a reference to it if it applies to some cases involving children, and then the waiver can be upheld. GP

**A.** There is a distinction too, between an inherent risk or negligence and that is what needs to be defined by each case. JEL

**Q. What about contracts where they rent out ballrooms for weddings or events, where they try to put in premises liability or in charter boats being rented and they include indemnifications on the renter?**

**A.** It depends on what the contract says. Lets say you're a visitor at a wedding and you were injured, you were not a party to the waiver. So the question becomes, does the liability shift from the hotel to the person signing the contract? That's the issue. What they are usually looking for, is for the you to get liability insurance for the event in case something happens. But normally you go to an event at a hotel, you can't sue the host if you trip and fall, you would sue the hotel. JEL

**A.** However, there could be shifts in the liability, when you look at who's in charge of the actual premises. GP

**Q. In regards to video footage, how long should a defending party keep videos?**

**A.** What I get a lot of is "we don't keep them" or "it wasn't working." That's an issue for each business because that is an issue we can bring up in court. We requests videos immediately upon receiving a case. You can't give people the impression that people are safer because of the cameras and then not have them work. JEL

**A.** But there are many instances where video can hurt or help a case. There was a plaintiff once that was suing a client of mine, and the woman claimed to trip and fall inside a Target not seeing the cones. The video caught the woman looking both ways, left and then right, and then literally dove into the cone, and then had severe back injuries. GP

**Q. In Discovery, there is a lot of stonewalling. Is it the attorney or the client? I've done research in past discovery and I came across an order where a plaintiff requested for "surveys," but Wal-mart said they didn't have any "surveys," Turns out they have "studies." The court didn't like that so they sanctioned them. From a defense perspective, what do you tell the client? Should I take them serious or at face-value?**

**A.** What I tell all my clients is to give it to them. Clients cannot take it upon themselves to make those kind of decisions, and it has happened from time to time because they think they're smarter than the lawyer, but I tell them, they have to tell everything, so I can do my job. I will raise an objection against the discovery if I need to. If clients are dishonest then I tell them they need to find someone else to represent them. Discovery and admissibility are ultimately two different things. Ethically I want to know and they need to provide the discovery. We always tell clients you must disclose everything. GP

**A.** It's really going to come out one way or another, and that's not the kind of information you want coming out later in the case, because that creates another issue. JEL

**Q. You had mentioned about "invitee" status and how can it change to an uninvited "trespasser?" Let's say if a Jacuzzi has specific hours of operation and a 16 year-old kid wanders off and gets injured in that area.**

**A.** The nuance doctrine is still a valid doctrine designed for children because they don't comprehend the dangers, but there was one case I worked on where a young girl was told a number of times that going to the neighbors yard was dangerous because it had all sorts of exotic cactus and vegetation. The girl one day went into the yard to retrieve her dog, when a cactus thorn poked her in the eye causing her to go blind in one eye. The court held she was a "Licensee" since the girl was specifically instructed not to go into the yard, realizing and having the knowledge it wasn't safe. GP

**JEL:** One last point I want to make before we wrap this up. The gaming industry is going to become a big issue. I think we're going to see more casinos here especially due to the budget crunch, since the state is looking for ways to increase revenue. The issue here is the Indian Gaming and Tribal Sovereign immunity. You have to go through tribal court, but there's a caveat with places like the Hard Rock Casino in Hollywood. They have all of these contracts with different parties and chains on the property so if you trip and fall, it may be the responsibility of the business and I don't think they will have sovereign immunity, but if its an issue with someone being assaulted and there is no adequate security in the parking lot, then you'll have problems and I'm sure serious issues, as well, for public records.

*\*Some questions and answers are not included since they were not audible.*



## Building Serious Cases for Resort Torts

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danger by entrusting the vehicle to another is in the best position to ensure there will be adequate resources to pay damages that could incur. This changed in 2005 when a federal statute known as the Graves Amendment (49 USC §30106) was enacted. The Graves Amendment eliminated dangerous instrumentality liability for rental car companies. Car rental agencies have the responsibility to warn renters of possible criminal conduct and high crime neighborhoods. [*Shurben v. Dollar Rent-A-Car*].

An issue that often arises in resort cases is "apparent agency." Often the hotelier, carrier, etc., may subcontract out a service. When tragedies occur, the owner may claim that the tortfeasor was not its employee and was an independent contractor and therefore not liable. The Florida Supreme Court has made it clear that an independent contractor may also be an agent. The rule has long been settled in Florida law that a principal is bound by the acts of his employees and agents.

Resort cases are abundant, particularly here in Florida. What they all have in common is that plaintiffs have been exposed to risk while traveling, vacationing or engaging in activities when their awareness levels have been lowered significantly. What is key in each case is placing reasonable responsibility on the owner, acquiring historical discovery and conducting thorough investigation of the premises, and deposing all parties involved including their "agents."

*The above is a review of the material that was presented by John Elliott Leighton, a Personal Injury Attorney at the Resort Torts Roundtable Discussion, on May 5, 2009.*



## John Elliott Leighton

Leighton Law trial lawyers

John Elliott Leighton is a board certified civil trial lawyer. In January 2009 John founded Leighton Law after 24 years as senior partner in another statewide plaintiff's trial firm. Although John litigates cases throughout the state and selectively across the country, his firm is based in Miami's Brickell financial district.

John's practice focuses on litigating and trying

complex and catastrophic personal injury and wrongful death cases, with special emphasis on violent crime/negligent premises security, medical malpractice, auto and trucking cases, aviation disasters, cruise ship and maritime, and product liability cases in all state and federal courts.

Currently Mr. Leighton, who represents the family of Amber May White, is attempting to get legislation passed to regulate the parasailing industry in Florida. The infamous parasailing tragedy resulted in the death of 15-year-old Amber May White and serious injuries to her sister, Crystal. The tragedy, documented in national news stories, brought to light the dangers of an unregulated but ultra-hazardous industry that preys on vacationers.

Mr. Leighton has been featured on NBC's "Today" show, *Inside Edition*, as well as the local news affiliates including ABC, NBC, Fox, and CBS. He has also published a number of books, articles, and chapters within a wide array of national publications. Recently, he was elected as Chairman of The

Academy of Trial Advocacy, a national invitation-only association of the nation's leading catastrophic injury trial lawyers.

He is a frequent speaker and teacher. He has lectured at a variety of programs in over a dozen states, chaired many national conferences in the field of catastrophic personal injury litigation, and has chaired and taught numerous trial skills colleges for the National College of Advocacy, for which he sits on the board of trustees.

A national expert in the field of violent crime and negligent security premises liability litigation, he has dedicated much of his career to representing victims of crimes. Recently John published a two-volume book, *Litigating Premises Security Cases* (Thomson-West), which is the leading text in this field.

He has served as chairman of the Association of Trial Lawyers of America's Inadequate Security Litigation Group since 1996 and sits on the Board of Advisors of the National Crime Victim Bar Association (NCVBA). Last year he received the NCVBA's "Advocate of Justice" Award for his work on behalf of crime victims. The award was presented by Miami-Dade State Attorney Katherine Fernandez-Rundle. John is working with the Plaintiff in the O.J. Simpson wrongful death case, Fred Goldman, on a national program that will be presented in San Francisco this summer.

One of his trials, *Jeffery v. Publix Super Markets*, was the subject of an entire chapter in the book, *Persuasive Jury Communication: Case Studies from Successful Trials*, Chapter 10 (Shepard's/McGraw-Hill, 1995). In addition to his lecturing, Mr. Leighton has led training programs for crime victim advocates and lawyers throughout the country.

John is the past Chairman of the Association of Trial Lawyers of America's Motor Vehicle, Highway and Premises Liability Section, a Founding Member of the Resort Tort Litigation Group, and Past Vice Chairman of the ABA Product Liability Committee.

His recent string of courtroom victories include a record-setting \$24 million verdict for the victim of medical malpractice due to birth trauma, an \$8 million arbitration award for the parents of a young woman killed in a motor vehicle crash, an \$11.5 million settlement for a child injured by an obstetrician's malpractice, a \$4.3 million settlement of a wrongful death case in Chicago, a \$3 million recovery for a man shot at an ATM in Indianapolis, a \$1.4 million settlement for a woman sexually assaulted at a mall in Wisconsin, a \$3.25 million settlement for a man shot in Fort Lauderdale during an attempted carjacking, a \$5 million settlement in Broward County for a woman injured in a car crash, a \$5.4 million recovery for the family of a businessman electrocuted at his home due to defective construction and a \$3.85 million recovery for the family of a young woman killed in a resort accident. This month John recovered \$3 million for the family of a woman killed by medical malpractice in a rural county in Central Florida.

John has been selected for inclusion in *The Best Lawyers in America*, *Florida Superlawyers*, *Florida Trend Legal Elite*, and voted a "Top Lawyer" in the *South Florida Legal Guide* since its inaugural publication in 2003. He holds an AV rating from Martindale-Hubbell and a 10.0/10 ("superb") rating from AVVO.com.

*John exclusively represents plaintiffs in serious injury cases, and will be speaking to you about Resort Torts from the plaintiff's perspective.*

John Elliott Leighton's experience includes litigating and trying cases such as:

- Hot coffee spilled by waitress at theme park into lap of restaurant patron
- Slip and fall on wet marble floors in hotel entrance without any wet floor warning
- Honeymoon wrongful death/massive burns due to gas leak at resort hotel in the Dominican Republic
- Bicycle and moped accidents causing injuries to Key West tourists
- Tourists assaulted at motel due to inadequate lighting and security
- Sexual assault of child at theme park by park employee
- Sexual assault on hotel property
- Assault and battery in hotel parking garage
- Death, neurologic injuries and brain damage from negligently operated parasailing rides
- Sexual assault at theme park through use of drink spiking
- Wrongful death of scuba diver in the Florida Keys
- Wrongful death of motorboat passenger where boat operator crashed into a residential boat dock
- Head and neck injury resulting from cruise ship mooring line snapping, striking a passenger while seated in the dining room
- Electrocution death of a teenager on an electric boat lift
- Sexual assault of passenger by crew member
- Falls on cruise ships

# SAVE THE DATE

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