

Cristobal A. Casal

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Office Location: Fort Myers

Cristobal A. Casal is the managing partner of the firm's Fort Myers office. Cris has worked in the civil defense field for the entirety of his career. His practice focuses in the following areas: Premises Liability, Automobile Litigation, Trucking Litigation, Construction Litigation, Products Liability, General Liability & Casualty, First-Party Property & Coverage and Intentional Torts. Licensed to practice in Florida and Illinois, Cris has successfully tried numerous cases to verdict in the fields of premises liability, motor vehicle accident liability and product defect litigation. He also has experience with rental car liability claims. Cris is admitted to practice before the United States District Court for the Northern, Southern and Middle Districts of Florida.

Cris also serves as a member of Conroy Simberg's Diversity & Inclusion Committee. He is fully fluent in Spanish as he was born in Ecuador but migrated to Miami at an early age. As part of his international background, Cris has visited more than twenty-five countries in four continents.

Cris earned his undergraduate degree in History and International Relations, from Northwestern University and his Juris Doctorate from the University of Miami School of Law.

Practice Areas:

- Premises Liability
- Automobile Litigation
- Trucking Litigation
- Construction Litigation
- Products Liability
- General Liability & Casualty
- Intentional Torts
- First Party Property and Coverage

Admitted to Practice:

- Florida, 2005
- Illinois, 2005
- U.S. District Court, Southern District in Florida
- U.S. District Court, Middle District in Florida
- U.S. District Court, Northern District in Florida

Education:

- University of Miami School of Law, Juris Doctorate, 2004
- Northwestern University, Bachelor of Arts in History and International Relations, 2001

Professional Affiliations:

- Trucking Industry Defense Association (TIDA), Member
- Cuban American Bar Association



- American Bar Association
- DRI, Voice of the Defense Bar

Speaking Engagements:

- "Understanding Social Media and Making It Work For You In Your Case," Co-Presenter, Conroy Simberg Digital Webinar Series, 2020
- "Keep the Faith," Co-Presenter, October 2019
- "5 Hour Law and Ethics Adjuster Update Course," Co-Presenter, May 2019
- "Technology in Trucking Litigation: a Two-Edged Sword," Co-Presenter, Conroy Simberg Webinar, February 2018

Honors & Awards:

- *The Best Lawyers in America*, 2023, Listed in Florida for Insurance Law
- Book Award in Contract Law at University of Miami, 2001

Representative Experience:

- *Stephen Marshall v. Burris Logistics, Inc. and LaRondrick Robertson*
Obtained a defense verdict on behalf of a trucking company and its driver in a trucking personal injury case after a three day jury trial in Tampa. Plaintiff was a warehouse employee at BJs Wholesale Club who suffered significant bodily injuries when the Defendants' tractor-trailer pulled away from the loading dock while it was being unloaded. Defendants argued that the Plaintiff violated his own employer's loading dock policies and procedures when he began unloading the trailer without properly restraining it. The jury deliberated for less than an hour before returning with their verdict.
- *Allstate Construction Roofing v. Security First Insurance Company*
Obtained a defense verdict in a first party property case tried over 2 days in Lee County, Florida. Plaintiff was a roofing company and claimed that the insured home was damaged as a result of Hurricane Irma and that the insurance carrier breached the subject policy of insurance by not providing coverage for the alleged roof damage. The plaintiff demanded the full amount of an entire roof replacement for a roof that was built in 2003. The jury found that the Plaintiff had not met its burden of proving that the roof was damaged within the policy period and returned a defense verdict after deliberating for less than 15 minutes.
- *Fidel Espinosa and Sahily Otero v. Citizens Property Insurance Corporation*
Obtained a defense verdict in a first party property case tried over 3 days in Lee County, Florida. Plaintiffs were the insured homeowners who claimed that their home's shingle roof and a significant amount of the interior of the home was damaged as a result of Hurricane Irma, and that the insurance carrier breached the subject policy of insurance by denying the claim. The jury found that the Plaintiffs had not met their burden of proving that the home was damaged by Hurricane Irma.
- *William Hewins v. First Protective Insurance Company*
Obtained a defense verdict on behalf of First Protective Insurance Company in a three-day jury trial in Lee County, Florida. The Court previously granted Frontline's partial summary judgment finding Plaintiffs breached the policy of insurance by their failure to promptly report the claim. Plaintiffs were insured homeowners who claimed the exterior and interior of their property sustained damage as a result of Hurricane Irma. In addition to interior damages, Plaintiffs were seeking

a full roof replacement citing that more than 25% of the roof was damaged from that one time wind event. Plaintiffs alleged that, despite the failure to promptly report their claim, First Protective Insurance Company breached the policy of insurance through their coverage denial. The jury entered a verdict in favor of the defense after 15 minutes of deliberation.

- *John Ringelstein v. Naples Courtyard Inn*

Obtained a defense verdict in a premises liability personal injury lawsuit involving a slip and fall at a Naples hotel. The hotel was sued under allegations that it allowed a dangerous condition to exist on an exterior staircase on which the Plaintiff alleged that he slipped and fell. Plaintiff was an out-of-town guest who claimed that the hotel's air conditioning units were leaking water out onto the exterior walkway which then made its way onto the staircase resulting in algae and mold developing on the steps over time. Defendant denied that any such condition existed on the steps or the walkway.

- *Thomas Mayo v. Security First Insurance Company*

Obtained a defense verdict in a first party property case tried over 3 days in Lee County, Florida. Plaintiff was an insured homeowner who claimed that his home's tile roof was damaged as a result of Hurricane Irma, resulting in interior damage, and that the insurance carrier breached the subject policy of insurance by denying the claim. The jury found that the Plaintiff had not met his burden of proving that the home was damaged within the policy period.

- *Dri-Force Restoration, Inc. v. Citizens Property Insurance Corporation*

Obtained a defense verdict in a first-party property case tried over 2 days in Lee County, Florida. Plaintiff was a water mitigation contractor and claimed that the insured home was damaged as a result of Hurricane Irma and that the insurance carrier breached the subject policy of insurance by denying the claim. The jury found that the Plaintiff had not met their burden of proving that the home was damaged within the policy period.

- *Benigna Boyle v. Target*

Plaintiff was a customer at the Defendant's store and was in the health and beauty supply aisle looking for a cosmetic bag when she was struck by a box of merchandise on a flatbed cart that she alleged was left unattended by Defendant's employees. Defendant denied that the store's practice was dangerous or that the cart was unattended since the video showed two employees at or around the cart while the Plaintiff was shopping.

As a result of the event, Plaintiff suffered a vertebral fracture to her lumbar spine that required a kyphoplasty at the emergency room. She also subsequently alleged a neck fracture for which she minimally treated. Defendant contended that she obtained an excellent result from the procedure and that there was no need for any type of ongoing medical care or treatment in the future. The Plaintiff asked the jury to award \$716,000.00 at the close of trial. The defense argued that there was no evidence of any fault against Defendant. The jury deliberated for about two hours before returning its defense verdict.

- *Karen Jones v. Freedland Moore, Inc. d/b/a Harbor Nissan*

Obtained a defense verdict in a premises liability case tried over 4 days in Charlotte County, Florida. Plaintiff alleged that the dealership allowed a dangerous condition consisting of an unidentified liquid to

exist in the service area where customers would routinely drop off their vehicles for service. Defendant contended that it had a well-established set of policies and procedures in place for patrolling, inspecting, and maintaining the service area free and clear of any potential slip or trip hazards. The jury deliberated for less than 90 minutes before rendering its verdict of no liability against the Defendant.

- *Norma Brown v. Deer Creek Condominium Association:*
First chaired a jury trial in Broward County representing the landowner and property manager against allegations of a negligently maintained property in which Plaintiff suffered a bodily injury from a trip and fall event. The jury returned a defense verdict within thirty minutes of closing.
- *Rachel Vancelette v. Parc Place Development, LLC:*
Allegations of negligent maintenance and failure to warn of the existence of a dangerous condition as a result of a trip and fall over a decorative curb located in Miami-Dade County. The trial court granted summary judgment in favor of the Defendant which was subsequently affirmed by both the Third District Court of Appeals and the Florida Supreme Court.
- *Karma Cowan v. CFH Group, LLC:*
Allegations of negligent maintenance and installation of smoke detectors and fire alarms against the landowner and property management company after a fire in which the Plaintiff suffered severe bodily injuries. The trial court granted summary judgment on behalf of both Defendants prior to trial.
- *Lissette Juarez as Personal Representative of the Estate of Manuel Juarez v. Florida Power and Light, et. al.:*
Allegations of negligent maintenance and instruction on the use of scaffolding equipment used on a project site where decedent was electrocuted resulted in the trial court granting summary judgment on behalf of the client prior to trial.
- *Sandra Lewis v. Sun Time Corp.*
A five-day jury trial in Miami-Dade County representing the property owner/landlord. The jury returned a defense verdict within three hours of closing. The verdict was affirmed on appeal by the Third District Court of Appeals.
- *Lytrees Monroe v. Otto Industries, Inc.*
Five day jury trial in Miami-Dade County representing the manufacturer of an oversized plastic waste basket that alleged to have been negligently manufactured by his client. The jury returned a defense verdict within 20 minutes of closing. The verdict was affirmed on appeal by the Fourth District Court of Appeals.

Community Involvement:

- Casa Hispana at Northwestern University, Vice President, 1998

Languages:

- Spanish