

## '2020 Stole a Lot From Me': Carlton Fields Shareholder Triumphs Over Tragedy

"I have been really working hard every day, every moment to try to persevere and continue," the attorney said.

by Cedra Mayfield

Cancer. Death. A house fire. COVID-19.

South Florida attorney Derek Harris had to face them all in 2020.

As a commercial litigator, the Carlton Fields shareholder had enjoyed a winning streak, including a 2016 appeal in which he helped reverse a \$1.8 million trial award for the plaintiff, and instead clinched a defense verdict granting his client \$455,000 in prevailing party attorney fees and costs.

But in 2020, Harris lost—more than he could have imagined.

And he found himself relying on support from his firm to help get through it.

### 1 Year to Live

Despite having tried many cancer-related cases, the Carlton



M. Derek Harris, shareholder with Carlton Fields.

Fields shareholder hadn't been prepared for his mother's own pancreatic cancer diagnosis in 2019.

Nor was he ready for the news she received at her last chemotherapy appointment the following February, after what had seemed like a successful tumor-removal surgery.

"We got her to Johns Hopkins early. We thought that she had this miracle cure," Harris said. "They removed the tumor completely and a bunch of lymph nodes, and there was no cancer. She was cancer free. Come February, after she's about to complete her chemo [with] one last treat-



ment to go to ring the bell, she gets a scan—cancer’s back. It’s metastasized to her liver and so now there’s two small spots, but it’s stage four.”

Doctors gave his mother one year to live.

Deeply rooted in faith, the family turned to prayer and opted to fight. Harris flew home to Delaware from Florida to be by his mother’s side as she resumed chemotherapy in March of 2020. He said he and his siblings began planning bucket-list getaways, ranging from a visit to Hawaii to a weekend in Paris, for their mother to experience while there was still time.

But an international crisis crushed their goal.

“We’re planning a trip to get her here to Disney to stay at Animal Kingdom with a savanna-view room,” Harris said. “But you know, after that first trip in March, by the next week, everything shut down.”

The pandemic not only paused their travel plans, it stifled Harris’ ability to be with his ailing parent—just as her time had begun to run out, and every second counted.

Four months passed before he could get a COVID test to safely visit his mother, who had since had a stroke. After enduring a subsequent heart attack a month later in August, Harris said the matriarch

decided to shift from fighting for her life to comfortably enjoying what was left of it.

“She passed on Sept. 20,” he said.

His mother’s death made him home in on the importance of family, keeping her mantra “family over everything” alive.

But tragedy lurked around the corner.

### 3 More Deaths

Harris’ best friend, who had been his family barber and the best man at his wedding, died that same year.

“The day after Thanksgiving, my best friend ... died in a house fire,” Harris said. “So I’m still grieving my mom, and my best friend passes away.”

While discussing his friend’s unexpected death with his stepfather, Harris said he noticed his stepfather had developed a cough. He encouraged his stepfather to visit a doctor.

“Confirmed COVID[-19], double pneumonia,” Harris said.

By the weekend the news was worse: Harris’ biological father had also contracted the coronavirus. And doctors confirmed that he too had a case of double pneumonia.

Harris said his stepfather died Dec. 13—less than two weeks after that diagnosis.

More bad news: His biological father’s health, which had seemed to be improving, took an unforeseen turn on Christmas Eve, and never improved.

“My dad passed away in the ICU on Dec. 27 from COVID,” Harris said. “In the space ... [of] three months, I lost four very, very important people in my life. My mother, my best friend, my stepfather and my father. All gone. So, 2020 stole a lot from me. I have been really working hard every day, every moment to try to persevere and continue.”

### ‘Like Family to Me’

Harris focused on gratitude to help him push through. He also credits the support he received from his family—both biological and professional.

“It’s not all just blood relatives,” Harris said. “There are several people I work with who are like family to me.”

He said the law firm supported him by encouraging him to spend time with his family throughout the ordeal. Colleagues covered his workload in his absence, and helped reclimate him upon his return.

Fellow Carlton Fields shareholder Ryan Cobbs—who’s worked alongside Harris in the firm’s West Palm Beach office as Mass Tort and Product Liability Practice Group Co-Leader. While the group removed Harris from emails to ensure he could focus on his family, Cobbs personally checked in on Harris



Carlton Fields in Miami. Photo: J. Albert Diaz

to provide a safe outlet in his time of need.

“When someone’s going through that you just want them to not have to worry about things in the office,” Cobbs said. “I knew he was being so strong for his family.”

In addition to urging Harris to “take time for yourself after all this,” Cobbs said the team remained mindful about how it eased him back into work upon his return.

“You can just imagine what that’s like, particularly when you’re dealing with cases that involve cancer and you’ve had cancer in your family,” Cobbs said. “That was one thing we all wanted to keep Derek away from until he was ready to kind of jump back in to the work.”

The firm’s compassionate efforts did not go unnoticed.

“My whole team just picked up the slack,” Harris said. “It has been such a blessing, just in that way, to have had that support system.”

### ‘Story of Perseverance’

The experience impacted Harris’ practice in 2021.

The attorney now focuses on being present in each moment, and being mindful of his interactions with clients and opponents, especially in products liability cases involving cancer.

“A lot of times, [plaintiffs are] pointing the finger saying, ‘Your client’s product caused my cancer.’ And we often have excellent defenses to that, but even so, you’re not just looking at them like, ‘This person is trying to get money,’” Harris said. “It may be a case for us, but it’s their lives. You have to be very sensitive. This is a very human thing that we’re doing.”

He said, “After going through it myself with my own mother, I’m even more sensitive to what people have experienced.”

Harris’ quest to triumph over tragedy has also ignited a bolder purpose in him to speak out while he can about social injustices and the need for diversity and inclusion in the legal industry. He’s leveraged his role as a Carlton Fields shareholder to champion the change he wishes to see. His career, he said, is already seeing growth because of it.

“When I hear corporations talk about they value diversity, equity and inclusion, I am willing to call them on that and say, ‘If you’re looking for a good firm with diverse lawyers that value diversity just like we do, we’re that team. We can be those lawyers,’” Harris said. “I’m looking at a good piece of business possibly coming in

the door right now, just taking that philosophy. And I think I plan to do a lot more of it.”

But at times it’s been difficult for the husband and father of two to keep it together.

Harris said he continues to push forward by challenging himself to concentrate more on what he has, as opposed to what he’s lost. He instead opts to keep the memories of his loved ones alive while being active in the lives of those still here.

“I focus on the things I have to be thankful and grateful for in my life, and that mostly starts with my family,” he said. “I think 2020 for me has been the story of perseverance.”

### M. Derek Harris

**Born:** July 10, 1977, Atlanta, Georgia

**Spouse:** Kelly Maher Harris

**Children:** Kayli and Michael

**Education:** Georgetown University Law Center, J.D., 2002; University of Delaware, B.A., 1999

**Experience:** Shareholder/Associate, 2006-present, Carlton Fields; Associate, 2002-2006, Jones Day; Summer Associate, 2001, Jones Day

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