

Carlton Fields Wins Constitutional Victory for City of Miami Beach

August 24, 2022

After more than seven years of litigation, Carlton Fields secured a hard-fought victory in favor of the city of Miami Beach against well-known strip club, Club Madonna. The case, which dates back to 2014 and the late Rick Ovelmen, implicated several questions of first impression. Club Madonna asserted 16 constitutional and preemption claims challenging the validity of the city's anti-human trafficking ordinance, which was enacted after a police investigation uncovered that a 13-year-old human trafficking victim performed nude at Club Madonna. On Aug. 1, 2022, the Eleventh Circuit affirmed the district court's summary judgment ruling in favor of the city of Miami Beach. The Carlton Fields team was successful in defending 15 of the 16 claims, including the First and Fourth Amendment claims addressed in the Eleventh Circuit's opinion. While the court found in favor of Club Madonna on one of the claims, the court held the ordinance was otherwise constitutional and severed the one preempted provision. The Carlton Fields team included Miami attorneys Enrique Arana, Scott Byers, and Rachel Oostendorp.

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