



# Sarah Cortvriend

OF COUNSEL

WEST PALM BEACH

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## Overview

Sarah Cortvriend practices complex commercial litigation in federal and state courts.

Sarah's clients include large corporations, national lending institutions, title insurance underwriters, as well as homeowners associations, small businesses, and individuals. Sarah's representation includes both the prosecution and defense of a wide variety of legal disputes in areas including breach of contract, injunctions, fraud, mortgage fraud, equitable subrogation, lien priority, low-income tax credits, commercial property foreclosures, equine, noncompetition, uniform commercial code, Florida's Deceptive and Unfair Trade Practices Act, and business torts.

Sarah is AV rated by Martindale-Hubbell and has been recognized as a top lawyer by various publications throughout her career. She was recently named a Best Lawyer in America in the commercial litigation area. Sarah chairs the Hanley Foundation board and is a director on the board of the Legal Aid Society of Palm Beach County. She is also active in the legal and civic community and serves as a pro bono guardian ad litem in Palm Beach County.

## Experience

- Represented title insurance companies and their insureds in challenges to title, challenges to priority and enforceability of liens, easement disputes, fraud, forgery, and equitable subrogation claims.
- Represented major national lending institutions in commercial mortgage foreclosures and other commercial disputes.
- Represented corporations to enforce contract for purchase of commercial property.
- Represented seller of grand prix show jumping horse in dispute regarding sale of horse.
- Represented several national homebuilders in various litigation matters brought by homeowners.
- Represented national homebuilders in litigation matters brought by

subcontractors.

- Represented corporation in breach of contract matter involving trade secret information.
- Represented multinational corporation in federal whistleblower action.

### Representative Cases

- *Zendejas v. Redman*, 334 F. Supp. 3d 1249 (S.D. Fla. 2018), holding that under Florida's offer of judgment statute, section 768.79, Florida Statutes, a nominal offer is appropriate and will entitle the offerer to attorneys' fees where the offeror has a reasonable basis at the time of the offer to conclude that her exposure to liability was nominal (granting Redman entitlement to attorneys' fees and costs). Obtained a fee judgment in the amount of \$390,967.28 (2019 WL 1434602) and a cost judgment in the amount of \$23,325.04 (2018 WL 6680994) for client as a result.
- *Zendejas v. Redman*, No. 9:15-cv-81229 (S.D. Fla. 2017). Obtained a defense verdict in a two-week jury trial representing the seller of a grand prix show jumper in an action for breach of contract, breach of warranties, fraud, negligent misrepresentation, and Florida's Deceptive and Unfair Trade Practices Act.
- *Keystaff Inc. v. Elosegui*, No. 2014 CA 006879 (Fla. Cir. Ct. 2014). Secured temporary injunction preventing former employees from using confidential and proprietary business information and trade secrets, requiring return of all business data and property, and preventing solicitation of employees and customers from former employer in action for breach of covenant not to compete.
- *PNC Bank, N.A. v. Kosova Realty Corp.*, No. 2011 CA 002959 (Fla. Cir. Ct. 2011). Obtained a receiver and foreclosed on a South Palm Beach hotel.
- *Oaks Square Joint Venture v. Brand Props. IV, LLC*, 9 So. 3d 620 (Fla. 1st DCA 2009). Secured affirmance of trial court's denial of permanent injunction to prevent redevelopment of gas station into a commercial retail office building, and affirmance of finding that traffic from redevelopment would not burden a joint easement to a greater extent than reasonably necessary.
- *Fox v. Prudential Fin.*, 178 F. App'x 915 (11th Cir. 2006). Affirming denial of default judgment against Prudential Financial, affirming denial of motion to amend complaint, affirming denial of disqualification of judge, and remanding for consideration of retaliation claim.
- *In re Empire of Carolina, Inc. (Alpha Int'l v. Gen. Foam Plastics)*, 174 F. App'x 552 (11th Cir. 2006). Affirming permissive intervention by bankruptcy creditor General Foam, and bankruptcy court's alteration of final judgment.
- *Boca Airport, Inc. v. Boca Raton Airport Auth.*, 911 So. 2d 114 (Fla. 4th DCA 2005). Affirming summary judgment in favor of Airport Authority.

### All Insights

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|------------|---|
| 10.17.2016 | Utah Court Addresses Insurer Liability to Non-insured Third-party Beneficiary |
| 08.23.2016 | Appeals Court Sends Full Credit Bid Defense to Arizona Supreme Court          |

03.01.2016	Does Title Agency Owe Duty to Provide E&O Insurance to Cover Employees?
01.08.2013	Checklist for Foreclosure or Deed-in-Lieu of Foreclosure Involving Subdivision and Condominium Properties
01.31.2012	Issues to Consider for Foreclosure or Deed-in-Lieu of Foreclosure Involving Subdivision and Condominium Properties
12.31.2008	Breach of Real Estate Contract Litigation, Case Law Update and Ethical Considerations

### All News

10.08.2018	Carlton Fields Attorneys Interviewed About Win in Show Horse Case
07.09.2018	Super Lawyers Honors 81 Carlton Fields Attorneys on 2018 Florida “Super Lawyers” and “Rising Stars”
08.21.2017	Buyer Of 'Dirty Stopper' Show Jumping Horse Loses Suit
08.21.2017	Defendants prevail in “Dirty Stopper” case
08.15.2017	78 Carlton Fields Attorneys Named “Best Lawyers in America”
06.23.2017	Florida Super Lawyers Ranks 92 Carlton Fields Attorneys as 2017 “Super Lawyers” and “Rising Stars”

### Recognition

- AV Rated by Martindale-Hubbell
- *The Best Lawyers in America*, Commercial Litigation (2017–2020)
- Florida Super Lawyers, Business Litigation, *Super Lawyers Magazine* (2014–2019)
- Florida Legal Elite, *Florida Trend Magazine* (2014–2016)
- Florida Rising Stars, *Super Lawyers Magazine* (2010–2013)
- Selected for inclusion in *Palm Beach Illustrated* as a Palm Beach County best commercial and corporate litigator (September 2018 and 2019)
- Leader in the Law Award, Florida Association for Women Lawyers (2011)
- Palm Beach County Legal Aid Society Firm Award for pro bono representation of indigent woman in four-day jury trial involving real estate dispute

### Professional & Community Involvement

- American Bar Association

- Section of Litigation
- Tort Trial and Insurance Practice Section
  - Title Insurance Committee
    - Editor, Title Insurance Newsletter
- American Land Title Association
  - Title Counsel Committee
- The Florida Bar
  - Real Property, Probate, and Trust Law Section
  - Professional Ethics Committee
  - Vice Chair, Fifteenth Circuit Grievance Committee "A"
- Florida Bar Foundation Fellow
- Florida Association for Women Lawyers, Palm Beach County Chapter
  - Past President (2012)
  - President (2011)
  - President Elect (2010)
  - Treasurer (2009)
- Guardian ad Litem, Fifteenth Judicial Circuit for Palm Beach County
- Hanley Foundation
  - Chair of the Board
  - Executive Committee
- Legal Aid Society of Palm Beach County
  - Director
- Leadership Palm Beach County, Class of 2010
- Palm Beach County Bar Association, North County Section
- University of Florida College of Law
  - Law Alumni Council

## Speaking Engagements

- Chair, Voluntary Bar Leader Conference, Manalapan, FL (July 2015)
- Chair, Voluntary Bar Leader Conference, Bonita Springs, FL (July 2014)
- Palm Beach County Bar Association Bench Bar Conference, Commercial Litigation Session (2014, 2015)
- Fourth Annual Women's Leadership Summit, Mega Conference, Florida Institute of CPAs (June 2014)

## Credentials

#### EDUCATION

- University of Florida Fredric G. Levin College of Law (J.D., cum laude, 2003)
- University of South Florida (B.A., magna cum laude, 1999)

#### BAR ADMISSIONS

- Florida
- North Carolina

### Areas of Focus

#### PRACTICES

- Antitrust and Trade Regulation
- Creditors' Rights and Bankruptcy
- Litigation and Trials
- Real Property Litigation
- Title Insurance

#### COURT ADMISSIONS

- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Middle District of Florida
- U.S. District Court, Northern District of Florida
- U.S. District Court, Southern District of Florida
- Florida State Courts
- North Carolina State Courts

#### INDUSTRIES

- Banking, Commercial, and Consumer Finance
- Real Estate