



Yolanda P. Strader

SHAREHOLDER

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Overview

Yolanda Strader is a business litigation lawyer with a business background. She is pragmatic and strives to find smart solutions consistent with the goals of the businesses and industries she represents.

Yolanda represents franchisors and franchisees in a variety of franchise disputes, including claims related to franchise disclosure documents, the Florida Deceptive and Unfair Trade Practices Act, shareholder and member disputes, breach of the franchise agreement, terminations, constructive terminations, breach of the covenant of good faith and fair dealing, business torts, and more.

Yolanda also handles a range of creditors' rights litigation arising in state and bankruptcy courts, including pre-judgment and post-judgment execution, Chapter 11 bankruptcies, including those proceeding under the Small Business Reorganization Act, the enforcement of commercial loan documents, and prosecuting commercial and residential foreclosures. She has successfully tried a number of foreclosure matters to judgment.

Yolanda's practice also includes a variety of commercial litigation matters, including class actions, real property disputes, business torts, business divorces, and breach of contracts on behalf of a range of business sectors, including the health care, legal, banking, and real estate industries. Yolanda has experience litigating large-scale matters requiring a command of electronically stored information (ESI) and large databases.

Yolanda is active in the South Florida legal community. She is a past president of the Wilkie D. Ferguson Jr. Bar Association, formerly known as the Black Lawyers of Miami. As president of the Ferguson Bar, she spearheaded a number of initiatives to enhance diversity in the legal profession and to help deserving students in Miami.

Yolanda was recently recognized by *Legacy Miami* as one of "Miami's Most Powerful and Influential Black Business Leaders." She was selected as a recipient of the 2016 National Bar Association's "40 Under 40 Nation's Best Advocates" award and was named to the Florida Rising Stars list by *Super Lawyers Magazine* for seven consecutive years (2013–2019).

Experience

Franchise Litigation

- Obtained favorable arbitration award on behalf of franchisees in Caribbean restaurant system based upon franchisor's violations of the Florida Deceptive and Unfair Trade Practices Act and breach of the franchise agreements.
- Represented Florida franchisees in actions against franchisor for rescission of franchise agreements based upon violation of various franchise disclosure requirements.
- Represented Florida franchisor in medical marijuana industry.

Banking and Creditor's Rights

- Represented the interests of creditors in various bankruptcies filed under the Small Business Reorganization Act.
- Represented various national banks in consumer finance matters, including residential foreclosure proceedings.
- Obtained dismissal of suit accusing national bank of violating the Florida Consumer Collection Practices Act.
- Obtained dismissal of suit against national bank including claims for quiet title, slander of title, and violation of Florida's Deceptive and Unfair Trade Practices Act.
- Represented various banks in suits seeking to enforce commercial loan documents.

Fiduciary Appointments

- Serve as court-appointed monitor of limited liability companies. *Emjay Group LLC v. Uri Segev, et al.*, Case No. 19-030037, Eleventh Judicial Circuit in and for Miami-Dade County

Litigation

- Defended real estate services company in class action proceeding including claims for breach of fiduciary duty, constructive fraud, and aiding and abetting of various torts.
- Represented provider of security services for websites in various suits seeking to enforce contractual arrangements with entities in foreign countries.
- Defended property management companies in suits alleging housing discrimination based on income source.
- Obtained order finding entitlement to attorneys' fees where opposing party and opposing lawyer brought lawsuit in bad faith. *Miccosukee Tribe of Indians of Fla. v. Lewis*, No. 12-12816, 2015 WL 8665975(Fla. Cir. Ct. Dec. 12, 2015).
- Obtained order dismissing tribe's claims against its former lawyers for alleged violations of RICO. *Miccosukee Tribe of Indians of Fla. v. Cypress*, 975 F. Supp. 2d 1298 (S.D. Fla. 2013).

Real Property Litigation

- Represented owner of high-end condominium in a partition proceeding.
- Obtained dismissal of suit against national bank including claims for quiet title, slander of title, and violation of Florida's Deceptive and Unfair Trade Practices Act.

Appellate

- Obtained affirmance of district court's order imposing sanctions pursuant to court's inherent authority against tribe's counsel for pursuing baseless claims. *Miccosukee Tribe v. Cypress*, 686 F. App'x 823 (11th Cir. 2017).
- Obtained affirmance of district court's order dismissing RICO case. *Miccosukee Tribe v. Cypress*, 814 F.3d 1202 (11th Cir. 2015).
- Obtained affirmance of trial court's order granting motion for summary judgment against a tribe that pursued claims of malpractice, breach of fiduciary duty, and fraud against former lawyers. *Miccosukee Tribe of Indians of Fla. v. Lewis*, 165 So. 3d 9 (Fla. 3d DCA 2015).

Pro Bono

- Obtained dismissal of charges against a nurse wrongly accused of domestic battery.
- Represented mother in family proceeding in which mother sought to relocate out of state with her daughter.
- Represented prisoner in a civil rights excessive-use-of-force case.
- Organized community legal fair designed to assist the underserved community of Brownsville.

All Insights

10.26.2020	Florida's Uniform Commercial Real Estate Receivership Act
07.24.2020	Florida's New Receivership Act Offers Some Clarity for Commercial Real Estate Stakeholders
02.10.2020	Big Changes for Small Business Bankruptcies
10.13.2015	CFPB Issues Statement Following Reports of Widespread Student Loan Servicing Failures
06.15.2015	CFPB Continues Crackdown on Fair Lending: Marketing Materials Targeted
05.15.2011	Game Changers: New Laws Affecting Franchise Systems in 2011

All News

09.16.2020	Miami Attorneys Take on Major New York Franchiser to Land \$1.6M Arbitration Award for Franchisees
08.26.2020	New Commercial Receivership Act Offers Clarity That May Lead to More Diversity
02.11.2020	Carlton Fields Attorneys Named to Leadership Council on Legal Diversity Fellows and Pathfinders Programs

09.03.2019	Court: Hyperlinked E-Mails Don't Count as "Communication" for Debt Collectors
04.22.2019	Power of Attorney: Yolanda Strader Proves Unstoppable at One of Miami's Top Law Firms
02.12.2019	10 Carlton Fields Attorneys Elected to Shareholder
10.17.2018	Carlton Fields Attorneys Co-Author ABA Business Torts Journal Article on Attorney-Client Privilege
07.09.2018	Super Lawyers Honors 81 Carlton Fields Attorneys on 2018 Florida "Super Lawyers" and "Rising Stars"
04.11.2018	Considerations Regarding Attorney-Client Privilege in the Joint Representation of Multiple Clients
07.10.2017	Carlton Fields Attorney Yolanda P. Strader Receives Dade County Bar Association's Woman on the Rise Award
06.23.2017	Florida Super Lawyers Ranks 92 Carlton Fields Attorneys as 2017 "Super Lawyers" and "Rising Stars"

Recognition

- Most Powerful and Influential Black Business Leaders, *Legacy Miami* (2019)
- Woman on the Rise Award, Dade County Bar Association (2017)
- Wilkie D. Ferguson Jr. Bar Association's Rising Star (2017)
- 40 Under 40 Nation's Best Advocates Award, National Bar Association (2016)
- Florida Rising Stars, *Super Lawyers Magazine* (2013–2019)
- Rising Stars, *Daily Business Review* (2014)
- ICABA South Florida Legal Rising Star (2013)
- Quarterfinalist, Legal Eagle Closing Argument Competition benefiting Legal Services of Greater Miami Inc. (2013)
- 40 Under 40 Outstanding Lawyers of South Florida, Cystic Fibrosis Foundation (2013)
- "40 Under 40 Black Professionals" Honoree, *Legacy Magazine* (2012)

Professional & Community Involvement

- American Bar Association

- Website/Social Media Co-Chair, Business Torts and Unfair Competition Committee (2019)
- National Bar Association
 - Commercial Law Section
- Leadership Council on Legal Diversity
 - Fellow (2020)
 - Pathfinder Program (2015–2016)
- The Florida Bar
- Dade County Bar Association
 - Director (2015–2018)
 - "Under 30" Director (2011–2013)
- Wilkie D. Ferguson Jr. Bar Association
 - Co-Chair, Judicial Committee (2019)
 - Liaison to the Judicial Diversity Initiative (2015)
 - Immediate Past President (2014)
 - President (2013)
 - President-Elect (2012)
 - Secretary (2011)
 - Scholarship and Banquet Committee (2010)
- Leukemia and Lymphoma Society of South Florida
 - Leadership Team for the Man and Woman of the Year Campaign (2017)
 - Man and Woman of the Year Candidate (2016)
- University of Miami Citizens Board
- University of Miami Law Alumni Association
 - Board Member

Speaking Engagements

- "Florida's Uniform Commercial Real Estate Receivership Act," Carlton Fields (October 21, 2020)
- "Acing the Job Interview," Dade County Bar Association Bench and Bar Conference (February 10, 2017)
- "The Path to Success: A Conversation for Young Lawyers," Dade County Bar Association Bench and Bar Conference (February 26, 2016)
- "Women's Legal Contribution," Broward College (March 1, 2016)
- Tracy Wilson Mourning's Honey Shine "Aspire to Shine" Workshop (May 17, 2014)
- "Practicing With Professionalism," The Florida Bar Young Lawyer Professionalism Panel (January 10, 2014)

- "Making the Transition From Law Student to Lawyer," ABA Fall Leadership Summit at the University of Miami School of Law (October 23, 2010)
- "The Condo Crisis in South Florida: A Glimpse from All Perspectives," University of Miami Business Law Review Symposium (April 10, 2010)

Credentials

EDUCATION

- University of Miami School of Law (J.D., cum laude, 2009)
 - *University of Miami Business Law Review*
 - Articles Editor, *University of Miami Race & Social Justice Law Review*, formerly known as *The Black Law Review*
 - President, Robert H. Waters Black Law Students Association (2007–2008)
- University of Miami (B.B.A., cum laude, 2005)

COURT ADMISSIONS

- U.S. District Court, Middle District of Florida
- U.S. District Court, Southern District of Florida
- Florida State Courts

BAR ADMISSIONS

- Florida

Background

- Foreclosure Fellow, Legal Services of Greater Miami, University of Miami School of Law, Coral Gables, FL (2009–2010)

Areas of Focus

PRACTICES

- Creditors' Rights and Bankruptcy
- Distressed Health Care
- Litigation and Trials
- Real Property Litigation

INDUSTRIES

- Banking, Commercial, and Consumer Finance