



Carol M. Rooney

Partner
100 South Ashley Drive
Suite 1310
Tampa, FL 33602
813-868-8854
crooney@hinshawlaw.com

Carol Rooney concentrates her practice on complex civil appeals and litigation, handling cases involving products liability, construction, real estate, and insurance disputes in federal and state courts across the nation.

Certified by The Florida Bar as a specialist in appellate practice, she frequently serves as embedded appellate counsel at trial and collaborates with trial counsel on pre-trial and post-trial motions.

Carol began her legal career as a staff attorney for the Ninth Judicial Circuit in Orange and Osceola Counties, Florida.

Professional Affiliations

- American Bar Association
 - Tort, Trial and Insurance Practice Section (TIPS)
 - TIPS, Appellate Advocacy Committee, Chair, 2024 – 2025
 - Council of Appellate Lawyers, Executive Board and Florida State Chair
 - Section of Litigation, Appellate Practice Committee
- Claims and Litigation Management Alliance (CLM)
- DRI
- Hillsborough Association for Women Lawyers (HAWL)
- Hillsborough County Bar Association (HCBA)

Honors & Awards

- Selected by her peers for inclusion in *The Best Lawyers in America*®, 2022 – 2025
- Board Certified by The Florida Bar in Appellate Practice since 2015
- Rated by Martindale-Hubbell for ethics and legal ability

Representative Matters

Carol has successfully handled several appeals involving premises liability, including:

- *Bovee v. Captain D'S, LLC*, 386 So. 3d 931 (Fla. 6th DCA 2024): Per Curiam Affirmed, affirming summary judgment granted to owner and landlord in a

Practices

Appellate
Government

Education

J.D., Stetson University College of Law

B.A., University of South Florida

Admissions

Florida

U.S. Court of Appeals for the Second, Fourth, Eighth, and Eleventh Circuits

U.S. District Court for the Middle, Northern, and Southern Districts of Florida



premises liability case.

- *Sallee v. St. John United Methodist Church of Sebring*, 363 So. 3d 117 (Fla. 6th DCA 2023): Per Curiam Affirmed, upholding summary judgment for the defendant in a premises liability case involving a trip and fall in a church parking lot.

Carol has also handled multiple appeals involving insurance-related issues, including disputes over coverage, policy interpretation, and associated attorney's fees and costs such as:

- *Kachele v. Estate of Hoffman*, 318 So. 3d 568 (Fla. 4th DCA 2021): Per Curiam Affirmed, affirming dismissal with prejudice granted to umbrella insurer in excess UM case.
- *Zamora v. Ace American Ins. Co.*, 830 Fed. Appx. 296 (11th Cir. 2020): Affirming summary judgment granted to insurer in excess UM case involving a rental car.
- *Edwards v. SafePoint Ins. Co.*, 318 So. 3d 13 (Fla. 4th DCA 2021): Affirming summary judgment granted to insurer based on failure to comply with proof of loss requirement of policy.
- *Avatar Prop. & Cas. Ins. Co. v. Flores*, 320 So. 3d 840 (Fla. 2d DCA 2021): Granting insurer's petition for writ of certiorari on grounds of work product privilege.
- *Lira v. Essentia Ins. Co.*, 861 Fed. Appx. 374 (11th Cir. 2021): Affirming denial of insured's untimely attempts to re-open case and move for attorney's fees and the costs against insurer.
- *Brifman v. Heritage Prop. & Cas. Ins. Co.*, 391 So. 3d 604 (Fla. 5th DCA 2024): Per Curiam Affirmed, affirming dismissal with prejudice of tort action against a homeowners' insurer.
- *Sallies v. First Liberty Ins. Corp.*, 391 So. 3d 577: Per Curiam Affirmed, affirming partial summary judgment and partial dismissal of bad faith claims against UM insurer.

Finally, Carol managed appeals involving commercial real estate, nurse registry liability, products liability, construction defect and other tort or contract matters:

- *Polakoff v. Action Roofing Services, Inc.*, 383 So. 3d 794 (Fla. 4th DCA 2024): Per Curiam Affirmed, affirming summary judgment granted to roofer in construction defect case.
- *Kelley Land Holdings, LLC v. Lee Arnold & Assocs.*, 301 So. 3d 207 (Fla. 2d DCA 2020): Per Curiam Affirmed, affirming summary judgment granted to third-party defendants based on failure to comply with Florida's third-party practice rule pleading requirements.
- *Travel Ins. Facilities, PLC v. Lee Memorial Health System*, 370 So. 3d 377 (Fla. 6th DCA 2023): Per Curiam Affirmed, reversing trial court order denying motion to dismiss for lack of personal jurisdiction.
- *Gregory v. Key West Welding and Fabrication, Inc.*, 341 So. 3d 323 (Fla. 3d DCA 2022): Per Curiam Affirmed, affirming order as to accrual of post-judgment interest and effect of deposit of funds into court registry during pendency of appeal.
- *Kreichman v. Engineered Air, LLC*, 336 So. 3d 726 (Fla. 4th DCA 2022): Per Curiam Affirmed, summary judgment granted to roofer in a construction defect action.
- *Cottingham Road TIC, LLC v. 1662 Multifamily, LLC*, 333 So. 3d 345 (Fla. 5th DCA 2022): Per Curiam Affirmed, order dismissing buyer's complaint alleging fraud and other tort claims seeking over \$60 million in damages against a seller of commercial real estate.
- *Gregory v. Key West Welding and Fabrications, Inc. et al.*, 307 So. 3d 955 (Fla. 3d DCA 2020): Affirming final judgment entered following jury trial on all grounds except for nominal pharmacy co-pay.
- *O'Donnell v. W.F. Taylor Co., Inc.*, 292 So. 3d 785 (Fla. 4th DCA 2020): Affirming summary judgment granted to defendants in negligence and products liability case based on plaintiff's undisputed inability to prove proximate causation.
- *Zwerner v. Coastal Concierge Services, LLC*, 374 So. 3d 784 (Fla. 4th DCA 2023): Per Curiam Affirmed, affirming summary judgment granted to nurse registry on vicarious liability counts.



Presentations

Carol moderated a panel on oral argument at the 2024 Appellate Judges Education Institute (AJEI) Summit, the premier educational event for appellate judges and practitioners. The panel, titled "Questions You Should Ask Before, and Must Be Able to Answer During Appellate Oral Argument," featured Justice Dalila Wendlandt of the Massachusetts Supreme Court and senior law clerk Josh Wolinsky of the U.S. Court of Appeals for Veterans Claims.

Personal

In her free time, Carol enjoys traveling, and outdoor activities such as hiking, and kayaking.