



Erica L. Weintraub

Associate

erica.weintraub@wilsonelser.com

Miami, FL – 305.341.2297

Erica Weintraub defends against claims arising from general liability, premises liability, negligent security, personal injury and contract formation.

Prior to joining Wilson Elser, Erica gained experience working for insurance defense firms handling all aspects of civil litigation, including but not limited to matters involving automobile negligence, wrongful death, police misconduct, commercial vehicle/trucking negligence, premises liability, first-party property, property damage subrogation, condominium association law and mass litigation.

Erica presented in an insurance defense law seminar that provided continuing education credits for insurance adjusters and attorneys, contributing valuable insight and research regarding expert discovery requirements and disclosures. Erica began her legal career at the Miami Dade State Attorney's Office handling felony, misdemeanor and juvenile matters.

Education

- Florida International University (J.D., 2017)
- Florida Atlantic University (B.A. Psychology, 2012)
 - cum laude

Bar Admissions

- Florida

Court Admissions

- U.S. District Court, Southern District of Florida

Services

- Complex Tort & General Casualty

Professional Affiliations

- Broward County Bar Association

Representative Matters

Participated in civil jury trials as second chair.

Conducted more than 30 criminal bench and jury trials, and sat first chair for several criminal jury trials.

Client Wins

Talisman and Weintraub Secure Final Summary Judgment in Wrongful Death Case

Amy Talisman (Of Counsel-Miami) and Erica Weintraub (Associate-Miami) prevailed on a motion for final summary judgment in the Eleventh Judicial Circuit of Florida, Miami-Dade County, on behalf of a security services company client. The matter involved a wrongful death action arising from the fatal shooting of a woman in December 2017. The fatal shots were fired from the parking lot of a Miami-Dade County-owned regional library, where our client provided security services. The shooting occurred about two hours after the library closed, and the client's personnel had left for the evening. The plaintiff alleged that the security company's contract required it to make security recommendations and that it failed to do so. Amy and Erica succeeded on their motion for final summary judgment by establishing that the plaintiff was unable to prove that Wilson Elser's client owed a duty to the decedent under the circumstances of the case, thus defeating a \$6 million final demand against the security company.