

Herlihy v Hyatt Corp.
2026 NY Slip Op 30281(U)
January 14, 2026
Supreme Court, New York County
Docket Number: Index No. 159385/2020
Judge: Christopher Chin
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SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

PRESENT: HON. CHRISTOPHER CHIN PART 22

Justice

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CARA HERLIHY,

INDEX NO. 159385/2020

Plaintiff,

- v -

DECISION AFTER INQUEST

HYATT CORPORATION D/B/A GRAND HYATT BAHA MAR,
CARIB RESORTS INC., BLUE ILLUSIONS, LTD.

Defendant.

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PROCEDURAL HISTORY

Plaintiff Cara Herlihy commenced this action to recover damages for personal injuries she allegedly sustained on June 30, 2019, asserting causes of action for negligence and breach of contract.

By order dated September 6, 2022 (Lynn R. Kotler, J.), the action was dismissed as to defendant Hyatt Corporation i/s/h/a Hyatt Corporation d/b/a Grand Hyatt Baha Mar (“Hyatt”).

By order dated March 8, 2023 (Lynn R. Kotler, J.): (1) plaintiff’s breach of contract claim was deemed abandoned and therefore dismissed; and (2) plaintiff’s motion for a default judgment against the remaining defendants Carib Resorts, Inc. and Blue Illusions, Ltd, on her negligence cause of action was granted based upon their failure to answer, to the extent that an inquest was directed to be held as to liability and damages.

On July 22, 2025, an inquest was conducted before this court.

At the hearing, plaintiff testified clearly and credibly and submitted documentary to support her claim, including photographs, medical records, a map of the island, and a release agreement between her and Blue Illusions. Defendants Carib and Blue Illusions failed to appear.

The court makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

On June 30, 2019, plaintiff was on a family vacation in the Bahamas. She took a ferry from the Grand Hyatt Baha Mar Resort to Balmoral Island. Defendant Blue Illusions operated a private beachfront area on Balmoral Island, and defendant Carib was Blue's management company.

At the beachfront area, there were beach umbrellas and lounge chairs set up for guests. Each umbrella was attached to a metal stand and the umbrellas and stands all looked the same, except for one broken stand. The broken stand was around the height of the lounge chair and covered in sand at the base. Plaintiff was walking on the beachfront to the water, when she tripped over the broken umbrella stand with jagged edges, causing her to suffer a laceration to her left shin. Plaintiff felt immediate pain and there was bleeding. She tried to get medical attention and an employee on the island brought her a first aid kit. Plaintiff returned to the hotel, where she was provided a wheelchair. She was transported to the Doctors Hospital in Nassau for treatment for the laceration.

At the hospital plaintiff received a tetanus shot, wound irrigation, and seven (7) stitches. When she returned to the United States, she noticed foul-smelling discharge coming from the laceration and puffiness from around her stitches.

On July 3, 2019, plaintiff was treated at One Medical Group in Manhattan, NY. She was given topical medication for an infection which had developed in the area near the wound.

On July 8, 2019, plaintiff's stitches were removed. After the wound healed, plaintiff was left with a scar.

Plaintiff consulted with West Village Plastic Surgery, where the doctor who treated her recommended a scar revision procedure at a cost of \$2500. The procedure could improve the scar's appearance; however, the scar would still be visible. Plaintiff has not undergone the scar revision procedure.

In addition to the scar, plaintiff has a divot in plaintiff's leg at the site of injury. Plaintiff has continued pain when she moves her leg from right to left.

Since she dislikes the appearance of the scar, plaintiff conceals it, including at recent rehearsal dinner before her wedding, where she wore an ankle length dress to hide the scar.

CONCLUSIONS OF LAW

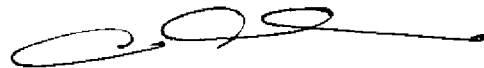
Upon consideration of the testimony and evidence, and in this court's discretion, the court finds that plaintiff met her burden of proving liability against defendants Blue Illusions and Carib on her claim for negligence and damages for the personal injuries she sustained. Accordingly, the court awards plaintiff the sum of \$60,000 for past pain and suffering.

It is further

ORDERED that upon proof of service of a copy of this order with notice of entry, the clerk is directed to enter judgment in favor of plaintiff and against defendants Blue Illusions and Carib

in the total amount of \$60,000, with interest from the date of this order, plus costs, as taxed by the clerk.

This constitutes the decision and order after inquest.



CHRISTOPHER CHIN, JSC

DATE: 1/14/2026

Check One:

Case Disposed

Non-Final Disposition

Check if Appropriate:

Other (Specify _____)