

Petition

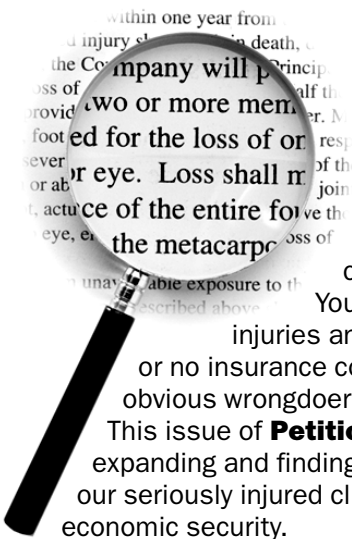
Via Fax

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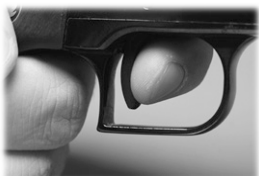
Finding and Expanding Coverage

Great Liability – Serious Damages – No Coverage?

How many times have you come across this scenario? Your client has life changing injuries and there appears to be little or no insurance coverage. Worse yet, the obvious wrongdoer has insufficient insurance. This issue of **Petition** focuses on ideas for expanding and finding coverage that will provide our seriously injured clients a life of dignity and economic security.

Defective Smoke Alarm – Negligent Smoker – \$600,000

David Andrews was trapped and burned to death in his rented home which was set on fire by the negligent smoking of a visiting relative. With no apparent wrongdoer, Partner **Ira Leesfield** and Senior Litigator **Robert Boyers** undertook intensive discovery resulting in a **\$600,000** settlement. \$300,000 was predicated upon a defective smoke alarm. A separate carrier for the homeowner's policy of the negligent smoker also paid \$300,000.



Disproving Gun Suicide – \$767,000

Debra McIntee was denied all of her husband's life insurance coverage when the coroner

determined her husband's death to be suicide. Partner **George G. Mahfood** went to bat for Mrs. McIntee and established her husband's death to be an accidental shooting which resulted in payment of **\$767,000** for this surviving wife.



Internet Insurance Information

Valuable information on insurance companies, insurance practices, claims practice and background insurance information at the following web sites:



Fight Bad Faith Insurance Companies (FBIC):

www.badfaithinsurance.org/

A non-profit advocacy group dedicated to the fight against bad faith insurance companies, particularly Hartford, State Farm and Allstate.

Florida Department of Insurance:

www.doi.state.fl.us/

Official web site for the Florida Department of Insurance - thousands of malpractice complaints on doctors, dentists, lawyers, hospitals, HMO's and other institutions.

Allstate Insurance: www.allstate.com/
– claims information

State Farm Insurance: www.statefarm.com/
– claims information

Insurance Information Institute: www.iii.org

ATLA: <http://www.atla.org/allstate1.ht>

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Pharmacist at Fault for Single Vehicle Death

Michelle Schneider was driving to her vacation home in North Carolina when, "inexplicably," her car left the road in the middle of the day resulting in her death. All conditions were clear and dry. LLRM Partners **Ira Leesfield** and **Maria Rubio** determined that allergy medication prescribed by Michelle Schneider's doctors, and filled by pharmacist without appropriate warning, caused her to fall asleep at the wheel. All early indications revealed "no liability." The diligent efforts of trial counsel resulted in a settlement of **\$525,000** for the loss of this highly decorated school teacher.



Punta Gorda Property Owner – \$700,000 of Additional Coverage



Rob Woodin was left paralyzed when his motorcycle was struck by an elderly Allstate insured with \$10,000 in coverage. Living with his mother in a small trailer, he came to Partners

John Leighton and **Ira Leesfield** for help. Thorough investigation revealed that the negligent defendant did not see the stop sign because of lighting and obstruction on an adjacent commercial property which had 700,000 insurance coverage. This total settlement of **\$710,000** provided Rob with much needed medical and nursing care.

LLRM – Bad Faith Verdicts

\$10,000 Policy = \$750,000 Result

Partner **Maria L. Rubio**, on behalf of our client Michael Corallo, turned a \$10,000 bodily injury policy into a **\$750,000** settlement by pursuing at trial and appeal the contractual and bad faith rights of our client on behalf of her son, Michael Corallo, Deceased. *Case No. 97-03491, Lower Tribunal No. 97-1185.* Appeal briefs available.

\$5,000 Policy results in \$600,000 Verdict and Payment

Buddy Jones was a passenger in his mother's vehicle that was struck head-on in the Florida Keys. He sustained moderate head trauma requiring a craniotomy. The defendant was too late in offering a \$5,000 Massachusetts insurance liability policy. Partners **Ira Leesfield** and **John Leighton** won a verdict of **\$600,000** which was paid with interest and fees.



\$10,000 Policy results in Fort Myers Bad Faith Verdict of \$1,124,352

When the defendants failed to offer \$20,000 in uninsured motorist insurance to Margaret Reich for her serious cervical injuries and surgery, Partner **Maria L. Rubio** went to trial in Fort Myers, Florida winning a verdict in the amount of **\$1,124,352**. The bad faith action is now pending. Legal briefs available by contacting Maria L. Rubio at 1-800-836-6400 or **www.LLRM.com**.

Expanding Coverage in Auto Cases

Practice Points

- **Never** assume the accident report is correct in listing vehicle owners.
- **Always** go to the scene and check the surrounding environment.
- **Always** find out the precise activity and destination of the defendant driver. What were your client and the defendant doing pre-collision?
- **Remember** the product defect (crashworthiness) component of your claim. Look at your client's vehicle as well as the defendant's – i.e. seatbelts, roof crush, doors, air bags.
- **Don't** overlook roadway defects, signs and construction distractions.

