

PRESS RELEASE

Date: September 7, 2011

FOR IMMEDIATE RELEASE

Dismissal of Mortgage Foreclosure Lawsuit

Our client, a family member of attorney J.P. Gonzalez-Sirgo, sought J.P.'s help when his bank instituted a foreclosure action on his home. Not having the funds to pay for legal services, J.P. agreed to defend him on a contingency fee basis. The bank failed to personally serve our client with the lawsuit, instead attempting to obtain jurisdiction over our client by using constructive service of process or service by publication. We challenged the bank's attempt to obtain jurisdiction over our client in this manner. The bank's position was that it performed a diligent search of our client's whereabouts and that they were not able to locate him in order to personally serve our client. In support of its position, the bank filed affidavits describing the attempts made to locate our client. We set out to take the depositions of those involved in the "diligent search". The depositions proved that anything but a diligent search was made to locate our client. In fact, in our estimation, the affidavits were fraudulent containing false attempts at locating our client, signature variations for the affiants, and notarial discrepancies. On the eve of a specially set evidentiary hearing on our motions to quash and dismiss, the bank retained new counsel and opted to dismiss the case. The case moved on to a hearing on our motion to tax attorneys' fees and costs wherein the court awarded \$42,000.00 to our client. To our knowledge, this is the largest attorney's fee award to a consumer defending a mortgage foreclosure in Florida. The award has been recovered from the bank.

Attorney J.P. Gonzalez-Sirgo has built his entire career on protecting the rights of insurance policyholders, personal injury and wrongful death victims and fighting for the rights of Florida consumers and small businesses. The firm has recovered millions of dollars for victims of denied or underpaid insurance claims, victims of catastrophic personal injuries and wrongful death and on behalf of those that have been taken advantage of by Big Business and Big Insurance. J.P. has been certified as a life member of the [Million Dollar Advocates Forum](#) and the [Multi-Million Dollar Advocates Forum](#). The Million Dollar Advocates Forum is recognized as one of the most prestigious groups of trial lawyers in the United States. Membership is limited to attorneys who have won million and multi-million dollar verdicts, awards, and settlements. Fewer than 1% of U.S. lawyers are members. In Miami-Dade County call us at 305-461-1095 or call us toll free at 1-866-71-CLAIM or fill out the short online contact form at www.YourAttorneys.com.