



## CASE PROFILE

### **\$283,644.20 POLICY LIMITS RECOVERY FOR DAMAGES TO CONDO UNIT**

The policyholder, the owner of a multimillion dollar condominium unit on the beach, suffered substantial damages to his unit as a result of a plumbing failure in his bathroom. He notified his insurance carrier promptly of the loss and he mitigated his damages by bringing in a plumber to make temporary repairs to the failed plumbing line. However, his insurance company stonewalled payment to the policyholder under the guise of investigating its subrogation rights against the plumbing company that it believed was the culprit for the plumbing failure. The policyholder's business attorney and insurance agent referred the claim to our office when the insurance company requested an examination under oath. We promptly made a demand for the policy limits to the insurance carrier, filed a civil remedy notice of insurer violation with the Florida Department of Financial Services, and prepared the policyholder

for the examination under oath and attended the examination under oath with the policyholder. Shortly after the examination under oath we filed a lawsuit against the insurance company. The insurance company tendered the policy limits shortly after the lawsuit was filed.

## CASE PROFILE

### **RECOVERY FOR 45 TIMES OVER INSURANCE COMPANY'S ORIGINAL PAYMENT ON KITCHEN FIRE CLAIM**

The policyholders suffered a kitchen fire to their home as a result of a frying pan catching on fire. The fire generated mostly smoke. There was minimal damage caused by the actual flames. Most of the damage was caused by the smoke. This is an important distinction because the photographs taken of the damage shortly after the loss did not present strong visual evidence of the damage. The policyholders notified the insurance company promptly after the loss. The policyholders did not retain any professional assistance immediately after the loss. The fire department was never called out to the loss. The insurance company sent out a field adjuster to the home who inspected and photographed the loss and issued a check for \$1,200.00. Not satisfied with this nominal payment, the policyholders sought out our assistance upon the recommendation of a prior firm client.

We immediately filed suit. Among the depositions that we took was the deposition of the field adjuster. In that deposition we established that the field adjuster was not qualified to inspect a smoke damaged home. We retained a general contractor and a fire damage expert. Through these experts we established that the home suffered substantial smoke damage that is not visible in photographs. The case settled shortly before trial for over 45 times the amount of the original payment made by the insurance company.

## THE LESSON

Don't quit on your insurance claim just because your insurance company quit on you.



J.P. 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. Prior to attending law school, J.P. worked as a claims adjuster for a busy independent adjusting firm in Miami where he handled hundreds of claims. Before launching his own law practice in 1994, J.P. worked for a prominent insurance defense firm in Miami. He now uses the insight that he gained working for the insurance industry for the benefit of his clients. J.P. 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. In Miami-Dade County call J.P. at (305) 461-1095 or toll free at (866) 71-CLAIM or fill out the short online contact form at [www.YourAttorneys.com](http://www.YourAttorneys.com).