

FLORIDA

Reid v. Whitehall Condominium of Pine Island Ridge II Association, Inc.



**LUKS, SANTANIELLO
PETRILLO, COHEN & PETERFRIEND**
— OUR VERDICTS TELL THE STORY —

Fort Lauderdale Senior Partner David Rosinsky, Esq., obtained a favorable result in condo association claim when Plaintiff voluntarily dismissed the action 30 days before trial to avoid a judgment and possible lien on her unit. Plaintiff condo owner claimed the Association failed to maintain the common elements and caused water intrusion into her unit. Plaintiff had new hurricane impact windows installed in her unit in November 2016, which subsequently began to leak in January 2019 due to improper installation. Plaintiff was insistent that it was caused by a roof leak even though her unit was located on the third floor of a four story building and the water entered through her windows. She also speculated that it was caused by power washing of the building when water purportedly came in through her windows three days after the building was power washed. Plaintiff was seeking to recover over \$100,000.00 for alleged damages and fees. Plaintiff failed to produce any evidence supporting her claims. A pre-suit offer of settlement was made by the carrier and a Proposal for Settlement was served at the beginning of the case, which were rejected. Her attorney subsequently withdrew as counsel. We had an MSJ pending when Plaintiff hired new counsel. Case was set for trial January 18, 2022. Plaintiff voluntarily dismissed the action 30 days before trial to avoid a judgment and possible lien on her unit.



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