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Defense Verdict – Fees Recoverable. Triple Surgery Case with Liability – Miami-Dade County

On March 17, 2017, Dan Santaniello, Esq. and Dorsey Miller, Esq. received a defense verdict in the premises liability – triple surgery matter styled Virginia Martinez v. Chanel, Inc. Plaintiff Martinez was cleaning a glass jewelry case at the Chanel Boutique in the Bal Harbour Shopping Mall when an 8 foot decorative panel fell on her. Liability was not seriously contested.

Plaintiff had over \$606,000 in past medical expenses and her physiatrist, Dr. Craig Lichtblau, estimated that her future medical care and treatment would cost upwards of \$850,000. The jury found us 100% at fault but awarded only \$60,000 (\$50,000 past medical expenses; \$10,000 past pain and suffering). After the set off for fees and costs, Plaintiff will get nothing due to a six figure proposal for settlement previously served.

Plaintiff, a 36-year old mother of three with no priors, underwent a L4 hemilaminectomy, an L4-5 discectomy, a C3-4 and C6-7 stryker disk decompression, and a spinal cord stimulator implant. The jury trial was venued in Miami-Dade County 11th Judicial Circuit. The Honorable Pedro Echarte presided.

[About Luks and Santaniello LLC.](#)

Luks, Santaniello, Petrillo & Jones is a Florida Corporate & Insurance Defense Litigation firm. The Law Firm is Peer Review Rated by Martindale-Hubbell. Our mission is to provide our clients with legal services that help them manage risk and reduce exposure. Our goal is to ensure that our clients obtain equal justice in the courtroom.

Luks, Santaniello defends businesses and insurers in Liability, most insurance lines and Workers' Compensation matters. We have a strong reputation in defending complicated general liability bodily injury claims involving over treatment, high medicals, letter of protection(s) and questionable surgeries. Luks, Santaniello has a diversified team of upwards of 60 Insurance Defense Litigation attorneys across eight offices in Miami, Boca Raton, Fort Lauderdale, Fort Myers, Orlando, Tampa, Jacksonville and Tallahassee. Members have tried over 300 cases in Florida State and Federal Courts.

Managing Partner Dan Santaniello and Central and North Partners, Anthony Petrillo (Tampa) and Paul Jones (Orlando) are all Florida Bar Board Certified Civil Trial Experts. The firm has a full service Appellate team in South, Central and Northern Florida to assist with summary judgments, motions in limine, discovery objectives, trial strategy and post trial positions. The Daily Business Review selected Luks, Santaniello as finalists for the Most Effective Lawyers for its innovation in filing a Declaratory Judgment Action in a multiple Wrongful Death claim in 2007. Our verdicts tell the story.™

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