

Collision prompts battle between insurance company and policy holder

Jury awarded \$1.5 million. Additional claims are pending.

On an evening in July 2018, 71-year-old Jane Doe was driving home from the West Palm Beach airport in a light rain. Suddenly her vehicle spun out on the wet road and came to a stop in a well-lit section of Interstate 95. A few minutes later, a pickup truck driven by Humberto Caso slammed into the side of Ms. Doe's vehicle. The collision caused Ms. Doe severe and permanent injuries which required a significant hospital stay, numerous surgeries, physical therapy, and doctor visits. Seeking to find accountability for the collision and damages, Ms. Doe contacted Searcy Denney attorney **Brian Denney** and paralegal Nick DeBellis to ask if they would investigate the incident.

Mr. Caso had testified that he was driving at the speed limit in that area. However, Mr. Denney's analysis of the black box in Mr. Caso's vehicle revealed that he was traveling at 82 mph when he collided with Ms. Doe. The driver would have had ample time to avoid Ms. Doe had he truly been traveling at the speed limit. Because of the limit on Mr. Caso's insurance policy, Mr. Denney brought a claim against Ms. Doe's uninsured motorist insurance carrier, Standard Fire Insurance Company. Standard Fire attempted to blame Ms. Doe for the collision. Even though her injuries were significant, Standard Fire never offered their policy holder the available policy limits of \$500,000. Ms. Doe bravely decided to take the case to trial. Mr. Denney was joined by Searcy Denney attorney **Jack Hill** to try the case before a Palm Beach County jury. The attorneys were later assisted



by Searcy Denney attorney **Boris Zhadanovskiy**. At trial, they were able to demonstrate that Ms. Doe was not the primary party responsible for the collision. They also highlighted her incredible grit and determination in doing everything she could to overcome her injuries, including an ankle injury that now limits her ability to walk. The insurance company argued that Ms. Doe was totally at fault and tried to minimize her damages. On October 19, 2021, the jury rejected the insurance company's defense, finding Mr. Caso to be 80% responsible for her injuries. The jury awarded Ms. Doe \$1,500,000 in recognition of the injuries she had suffered.

Uninsured/underinsured motorist insurance is a critical protection. You should not have to fight with your own insurance company for a fair response after paying for that protection!

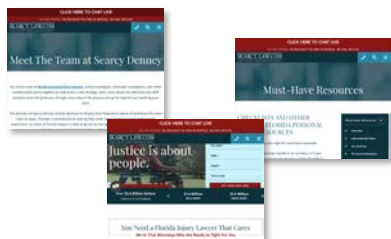
Mr. Denney and Mr. Hill were very impressed with Ms. Doe's determination to hold the insurance company accountable. "It is never easy to take on an insurance company that has unlimited resources. Our client had the courage to do so, and she inspired us every step of the way," said Mr. Denney. The attorneys are currently pursuing a bad faith action against the insurance company for its failure to offer the \$500,000 uninsured motorist policy limit. ♦

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