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**\$5 million settlement in case of sexual assault by employee**

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**Twenty five of our attorneys have been honored to be included in The Best Lawyers in America**

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## Record \$10 million jury verdict for wrongful death

### Recreational vehicle struck, killed pedestrian

In January 2022, a Volusia County jury in Florida's Seventh Judicial Circuit deliberated less than two hours before finding Ronald Scirrotto and his employer, La Mesa RV Center, responsible for a 2019 fatal collision with a pedestrian, 29-year-old Jacob Branen. Jacob had been walking along the shoulder of a road in Daytona Beach heading to his job. Mr. Scirrotto, driving a 24-foot RV belonging to La Mesa passed Jacob at 45-50 mph, drifted out of his lane and the side mirror of the RV struck Jacob. Emergency responders transported him to a local hospital where he died of his injuries.

Jacob's parents, Robert and Anne Branen, were devastated by the loss of their beloved son. Particularly difficult were allegations from the RV company and an investigating officer that Jacob was responsible for his own death, having inexplicably stepped off the shoulder of the road into the path of the oncoming RV. Robert and Anne Branen contacted Searcy Denney attorney **Brian Denney** and paralegal Nick DeBellis seeking counsel on finding the truth about what happened.

Mr. Denney conducted a comprehensive investigation that led to the real truth about what happened. Depositions and court documents offered at trial provided additional details



**Brian Denney (first on left) with Jacob Branen's family who attended the closing arguments and Matt Schwencke (second from right).**

of the incident. The RV driver claimed that he saw Jacob on the side of the road with his back to traffic. The driver also claimed that he tried to move into the left lane but traffic prevented his move. Testimony from an eyewitness driving near the RV stated that Jacob was [\(Continued on page two.\)](#)

## Urologist's negligence during prostate surgery: \$2.9 million verdict

### Surgeon failed to control catastrophic bleeding causing organ failure and death of the patient

On December 10, 2021, a Miami-Dade County jury returned a verdict of \$2,960,110 against Barbara Montford, M.D., a Miami urologist who negligently caused the wrongful death of her 71-year-old patient, Raul Barbero.

The case was brought by Mr. Barbero's widow, Maria Santana. In 2013, the couple had moved from Cuba to live close to their extended families in Miami, Florida. In 2015, a routine physical examination of Mr. Barbero revealed an elevated PSA score – an

indication of prostate cancer. A biopsy of his prostate revealed abnormal cells and a Gleason score of 6 indicating aggressive growth of the cancerous cells. Mr. Barbero contacted Dr. Montford for advice and treatment of his prostate cancer. Dr. Montford later testified that she recommended numerous treatment options including surgery (both traditional and robotic), observation, radiation therapy, cryotherapy, and hormonal therapy. Mr. Barbero chose to have traditional open surgery to remove his prostate. Notably, Dr. Montford only performed traditional open surgery, preferring to refer patients seeking robotic surgery to other doctors.

Mr. Barbero had several medical conditions which urology experts testified would make Mr. Barbero a bad candidate for traditional open surgery where significant bleeding might occur. He suffered high blood [\(Continued on page four.\)](#)

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**A REPORT TO  
CLIENTS & ATTORNEYS  
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NOTE: The accounts of recent trials, verdicts and settlements contained in this newsletter are intended to illustrate the experience of the firm in a variety of litigation areas. Each case is unique, and the results in one case do not necessarily indicate the quality or value of any other case. Omitting clients' names and/or defendants' names are the result of requests for anonymity.

**Record \$10 million jury verdict  
for wrongful death**

*(Continued from page one.)*

walking along the roadway's shoulder facing traffic as required by state law. Immediately after the collision, the RV driver told the witness that he did not realize he had struck someone. After the insurance companies defending the case challenged Mr. Denney to try the case, Brian Denney and Searcy Denney attorney **Matthew Schwencke** took them up on that challenge. Searcy Denney attorney **David Vitale** joined the team for the process of selecting the jury. Mr. Denney and Mr. Schwencke were able to prove in court that the RV had moved onto the shoulder of the road and collided with Jacob, despite the defendants' self-serving testimony to the contrary.

The jury also heard compelling testimony about the devastating, long-lasting impact Jacob's death had on his parents and how Jacob's death was totally preventable had the La Mesa RV just stayed in its designated lane of travel. On January 18, 2022, the jury awarded \$10,031,526 to the Branens. The amount is believed to be the largest award for damages in a wrongful death lawsuit in Volusia County. The amount exceeded the plaintiffs' suggested verdict during closings and far exceeded the defendants' pre-trial settlement offers.

Asked if the jury's decision brings closure to the Branens, Mr. Denney said, "This case was not about the money. These devoted parents bravely brought this case to court because they were misled about what happened to their son. The jury's verdict made it clear that Jacob was not responsible for his own death. These loving parents were able to set the record straight about what really happened to their son, and it was a privilege to take on their fight to uncover the truth and to see justice done." ♦

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