

# Top FLORIDA Verdicts & Settlements of 2013

Who Set the Record For  
Most Top Verdicts in 2013?



SCHLESINGER  
LAW OFFICES, P.A.

*See Center Spread*



SACHER, ZELMAN, HARTMAN,  
PAUL, BEILEY & SACHER

PROFESSIONAL ASSOCIATION  
ATTORNEYS AND COUNSELLORS AT LAW

**Congratulates Lead Trial Counsel,**

**JOSEPH A. SACHER,**

AND THE SACHER ZELMAN TRIAL TEAM

**on the \$3,272,705.00 Jury Verdict, chosen**

**as one of Florida's 3 most significant commercial**

**litigation/contracts jury verdicts in 2013.**



When California-based **Natrol, Inc.**, a world-wide marketer and distributor of sports nutrition and related nutraceutical products, was sued in Federal Court in the Southern District of Florida, for breach of contract, it put its trust in **Sacher, Zelman, Hartman, Paul, Beiley & Sacher, P.A.**, and counter-sued the Florida-based nutraceutical manufacturer, **Nature's Products, Inc.**, for breaches of contract and related warranties, resulting from a **Class 1 FDA Recall** caused by the defective manufacturing of sports nutrition protein powders that contained Gluten and Wheat allergens, contrary to their Gluten-free and Wheat-free labels, and false certifications by the manufacturer.

After two years of hard-fought litigation and a two week trial, the Jury awarded Natrol **\$3.27 Million in compensatory damages**, and Natrol continues to seek the recovery of all of its attorneys' fees, non-taxable costs, and related expenses, pursuant to the parties' controlling Indemnity Agreement, as well as pre-judgment and post-judgment legal interest.

Established in 1990, **Sacher, Zelman, Hartman, Paul, Beiley & Sacher, P.A.**, continues its nearly quarter-century tradition, through Joseph A. Sacher, Esq., its second generation, providing legal representation in the practice areas of **Securities Litigation, Complex Commercial Litigation, Banking, Finance, Real Estate, Accounting and Professional Liability, and Bankruptcy and Creditor's Rights, as well as Expert Witness and Consultation Services.**

1401 Brickell Avenue, Suite 700, Miami, FL 33131, (305) 371-8797

[www.sacherzelman.com](http://www.sacherzelman.com)

# Top FLORIDA Verdicts by Category

No	Case Name	Date	Court
<b>ADMIRALTY/MARITIME</b>			
1	Willy Alphonse Dolcin v. Royal Caribbean Cruises, LTD	12/26/2013	Miami-Dade County Circuit Court, 11th
<b>BUSINESS LAW</b>			
1	Luis A. Mechoso, Scott Poulin and Daniel R. Martinez v. Coconut Grove Bank	4/12/2013	Miami-Dade County Circuit Court, 11th
<b>CIVIL RIGHTS</b>			
1	L. Ronald Brown v. Lassiter-Ware, Inc.	10/31/2013	U.S. District Court, Middle District, Orlando Division
<b>CONSTRUCTION</b>			
1	Dana McCants, on behalf of the Estate of Nathaniel McCants (deceased) v. Roy Johns, Roads, Inc., a Florida Corporation, Roads Inc., of Northwest Florida, a Florida Corporation, Energy Services of Pensacola, City of Pensacola, Escambia County Florida	8/19/2013	Escambia County Circuit Court, 1st
2	Eva Santamaria, as personal rep of the Estate of Victor Corrales Lizarraga, deceased, For the benefit of the Estate and his survivors, Eva Santamaria, surviving spouse, Victor Gael Lizarraga-Santamaria, surviving minor child, and Ximena Mia Lizarraga-Santamaria, surviving minor child, Perla Iliana Zavala, surviving step-child, Karen Thalia Zavala, surviving step-child, and Brianna Leslie Zavala, surviving step-child v. R.L. Haines Construction LLC, Howard Concrete Services Inc., Jose B Suarez Inc, Auto Craft Investments Inc and Metal Bilt Construction LLC, 3rd Party	1/17/2013	Marion County Circuit Court, 5th
<b>CONTRACTS</b>			
1	Five For Entertainment S.A. and Diego Hernan De Iraola v. El Cartel Records, Inc., Ramon Luis Ayala Rodriguez, Icaro Services, Inc., Edgar Baldiri Martinez / El Cartel Records, Inc., Ramon Luis Ayala Rodriguez, Icaro Services, Inc., Edgar Baldiri Martinez v. Five For Entertainment S.A. and Diego Hernan De Iraola	12/2/2013	U.S. District Court, Southern District, Miami
2	Debra Peters, Ronald Peters, Custom Wood Creations Inc., Elite Hardware Inc., Rdja Inc. v. FCCI Commercial Insurance Company	2/6/2013	Broward County Circuit Court, 17th

Type	Headlines	Total	Attorneys
Verdict-Plaintiff	Plaintiff claimed overwork on cruise ship caused back injury	\$6,282,261	Plaintiff: Brett A. Rivkind, Miami, FL of Rivkind Margulies, P.A.
Verdict-Plaintiff	Bankers claimed reliance on stock promise in taking jobs	\$346,791	Plaintiff: Mary Claire P. Espenkotter, Miami, FL of Damian & Valori LLP; Peter F. Valori, Miami, FL of Damian & Valori LLP; Melanie E. Damian, Miami, FL of Damian & Valori, LLP
Verdict-Plaintiff	Worker alleged employer interfered with FMLA rights	\$250,000	Plaintiff: David Hanan Spalter, Winter Park, FL of Jill Schwartz & Associates, P.A.
Verdict-Plaintiff	Supervisor aware of gas leak, didn't tell worker, wife alleged	\$2,600,000	Plaintiff: Virginia M. Buchanan, Pensacola, FL of Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, P.A.; Wayne Cameron Stephenson, Pensacola, FL of Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, P.A.
Verdict-Plaintiff	Contractor failed to secure steel column, family alleged	\$2,400,000	Plaintiff: Brian P. Kirwin, Orlando, FL of Kirwin Norris PA
Verdict-Plaintiff	Concert promoter claimed breach of contract, defamation	\$6,382,130	Plaintiff: Peter Berlowe, Miami, FL of Assouline & Berlowe; Andrew S. Riccio, Miami, FL of Assouline & Berlowe; Eric W. Bloom, Washington, D.C. of Winston & Strawn; Margaret Ciavarella, Washington, D.C. of Winston & Strawn; Tomas Leonard, Washington, D.C. of Winston & Strawn
Verdict-Plaintiff	Insurer filed false info to avoid paying claims: couple	\$6,000,000	Plaintiff: Jonathan Gdanski, Fort Lauderdale, FL of Schlesinger Law Offices, P.A.; Steven J. Hammer, Fort Lauderdale, FL of Schlesinger Law Offices, P.A.; Charles B. Patrick, Fort Lauderdale, FL of Schlesinger Law Offices, PA; Scott P. Schlesinger, Fort Lauderdale, FL of Schlesinger Law Offices, PA

No	Case Name	Date	Court
3	Nature's Products, Inc. v. Natrol, Inc., FCC Products, Inc. / Natrol, Inc. v. Nature's Products, Inc.	10/24/2013	U.S. District Court, Southern District, Fort Lauderdale
4	Bedat & Co Geneve, a company organized under the laws of Switzerland v. Luxury Montres, LLC, a Florida limited liability company / Luxury Montres, LLC, a Florida limited liability company v. Bedat & Co Geneve, a company organized under the laws of Switzerland	11/22/2013	U.S. District Court, Southern District, Miami
<b>EMPLOYMENT</b>			
1	United States Equal Employment Opportunity Commission, intervenor plaintiff Brian Egan, intervenor plaintiff Lisamarie Huskey-Egan, intervenor plaintiff Anne Patricia Maticchiero v. Four Amigos Travel, Inc., d/b/a Four Amigos Travel, Top Dog Travel, Inc., William Howell, Derek May, Rob Birkfield and Randy Sandburg	4/30/2013	S. District Court Middle District of Florida, Tampa Division
2	Matthew W. Ladd v. City of West Palm Beach, Florida	8/30/2013	Palm Beach County Circuit Court, 15th
3	Robert DeSisto v. City of Delray Beach	9/26/2013	Palm Beach Circuit Court
4	Melissa Smith v. City of New Smyrna Beach	2/26/2013	U.S. District Court, Middle District, Orlando Division
5	Beverly Ellis v. Ric L. Bradshaw, in his official capacity as Sheriff of Palm Beach County, Florida	3/26/2013	Palm Beach County Circuit Court, 15th
<b>ENERGY AND NATURAL RESOURCES</b>			
1	Robert Bower v. Florida Power & Light Company	11/11/2013	Broward County Circuit Court, 17th
<b>FRAUD</b>			
1	Kathleen Gafney and the Estate of Frank Gafney v. R.J. Reynolds Tobacco Co. and Lorillard Tobacco Co.	9/20/2013	Palm Beach County Circuit Court, 15th

Type	Headlines	Total	Attorneys
Verdict-Mixed	Product recall spurred breach of contract claims by both sides	\$4,020,139	Plaintiff: Natalie J. Carlos, Miami, FL of Carlton Fields, P.A.; Alan Rosenthal, Miami, FL of Carlton Fields, P.A.  Defense: Bryan W. Black, West Palm Beach, FL of Derrevere Hawkes Black & Cozad; Joseph A. Sacher, Miami, FL of Sacher, Zelman, Hartman, Paul, Beiley & Sacher, P.A.
Verdict-Defendant	Distributor alleged lost profits from deal with watchmaker	\$1,016,047	Defense: Scott J. Feder, Coral Gables, FL of Scott J. Feder, P.A.
Verdict-Plaintiff	EEOC: Seven women sexually harassed by supervisors	\$20,251,963	Plaintiff: Aarrin Benatra Golson, Miami, FL of Equal Employment Opportunity Commission; Gregory L. McClinton, Tampa, FL of Equal Employment Opportunity Commission; Patrice A. Pucci, Saint Petersburg, FL of Patrice A. Pucci, P.A.
Verdict-Plaintiff	Police officer claimed he was fired for perceived PTSD	\$888,000	Plaintiff: Isidro M. Garcia, West Palm Beach, FL of Garcia Law Firm, P.A.
Verdict-Plaintiff	Worker: PTSD kept him from taking city-mandated driving test	\$762,250	Plaintiff: Isidro M. Garcia, West Palm Beach, FL of Garcia Law Firm, P.A.
Verdict-Plaintiff	Fired female firefighter alleged gender discrimination	\$444,000	Plaintiff: Karen Coolman Amlong, Fort Lauderdale, FL of Amlong & Amlong; William R. Amlong, Fort Lauderdale, FL of Amlong & Amlong, P.A.
Verdict-Plaintiff	White corrections officer claimed racial discrimination	\$262,128	Plaintiff: Isidro M. Garcia, West Palm Beach, FL of Garcia Law Firm, P.A.
Verdict-Plaintiff Downed power line caused property damage: plaintiff	Downed power line caused property damage: plaintiff	\$209,570	Plaintiff: Brad E. Kelsky, Plantation, FL of Kelsky Law, P.A.
Verdict-Plaintiff	Nicotine addiction caused lung cancer, death, wife contended	\$5,800,000	Plaintiff: David J. Sales, Jupiter, FL of David J. Sales, P.A.; James W. Gustafson, Jr., Tallahassee, FL of Searcy Denney Scarola Barnhart & Shipley P.A.; Darryl L. Lewis, West Palm Beach, FL of Searcy Denney Scarola Barnhart & Shipley P.A.