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## Defense Verdict: \$800,000.00 Demand - MVA with Multiple Surgeries (Palm Beach County)



Dan Santaniello,  
Esq.

On June 27, 2018, Managing Partner Dan Santaniello, Esq. and Boca Raton Junior Partner Christopher Moore, Esq. obtained a defense verdict in a motor vehicle accident negligence case styled *Keith Friberg v. Defendant Driver*. Plaintiff claimed he was physically attacked from behind while going to the bathroom at a gentlemen's club by Defendant's friend, then had to leave to avoid further attack by the other friends of the attacker. Plaintiff testified that he kicked and stomped his attacker in self-defense, then drove away while Defendant Driver and his friends pounded on his car to continue the attack. After thinking he had successfully avoided further confrontation, Plaintiff testified at trial that he saw Defendant Driver travel across four lanes of traffic on I-95 and ram into his vehicle, causing both vehicles to crash into the concrete barrier at 70 mph, and skid about 100 yards, totaling both vehicles and causing all of the airbags in Plaintiff's vehicle to go off.



Chris Moore,  
Esq.

Plaintiff put on evidence at trial that Defendant Driver and his friends then fled the scene due to the Defendant Driver's consciousness of guilt for the accident as he had been drinking at the gentlemen's club for hours prior. Plaintiff claimed fractures to each of the fifth digits of his hands, which required a total of four surgeries, as well as low back injuries with two herniations, including an annular tear, that Plaintiff asserted would require a future back surgery and treatment for the rest of his life between \$257,000 and \$417,000.

Up until trial began, Plaintiff further claimed he had lost income and lost earning capacity of \$1.4 million as he could no longer perform his then-job of owning and running a health food juice bar that he had to sell months after the subject incident, after having owned and run the business for some 10 years prior. Plaintiff dropped that claim at trial after Defendant established via pretrial discovery that Plaintiff's own treating surgeon did not believe he would be unable to perform that type of work, and Plaintiff's own litigation expert physiatrist was forced to agree he was capable of working any job, except for returning to the NFL.

Defendant claimed the hand fractures were from the bathroom fight and that Plaintiff leaving the scene, rather than wait for the police, showed he was not the victim he claimed to be, and was the reason for the pursuit to identify him given the brutal head injuries he inflicted on his claimed attacker. Defendant Driver testified he left the accident scene because he believed the Plaintiff was pulling a gun out on him when he went to check on him after the accident.

## About Luks and Santaniello LLC.



**Our verdicts tell the story.**<sup>™</sup> 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 is a member of [The Gavel.net LLC](#), nationwide claims defense network.

Luks, Santaniello defends businesses and insurers in Liability, most insurance lines and Workers' Compensation matters. The firm has a diversified team of 85+ Insurance Defense Litigation attorneys across nine offices in Miami, Boca Raton, Fort Lauderdale, Fort Myers, Orlando, Tampa, Jacksonville, Tallahassee and Pensacola. Members have tried over 200 cases in Florida State and Federal Courts. 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.

Managing Partners Dan Santaniello and Anthony Petrillo (Tampa) are Florida Bar Board Certified Civil Trial Experts. Partners Christopher Burrows and Patrick Hinchey are Florida Bar Board Certified Construction Law 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.

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