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## DEFENSE VERDICT



### Favorable Verdict: Slip and Fall with Meds Billed Under a Letter of Protection (Pinellas County, FL)

On June 19, 2017, following a 6 day trial, Tampa Managing Partner, Anthony Petrillo, Esq. and Partner Joseph Kopacz, Esq. obtained a favorable jury verdict in the matter styled Tracy Demoss v. Tagco Oil Company in front of Judge Schaefer, in Pinellas County, Florida. This action arose from a Slip-and-Fall accident in the parking lot of TAGCO on August 30, 2015. At the time of the alleged fall, Plaintiff was wearing worn out flip-flops and alleged she slipped when she encountered a yellow-strip in the parking lot. Plaintiff claims the yellow strip did not have the required shark grip/additives presenting a sudden and unexpected change in slip resistance causing her to fall.

Defendant argued the parking lot was in compliance with all applicable codes and industry standards. The yellow strips were slip resistant and no additional shark grip/additives were required to be used in this particular area which was a fire zone.

Following this fall, Plaintiff had two surgeries including a right shoulder surgery and neck surgery at C6-C7 (Anterior Cervical Discectomy and Fusion). The shoulder surgery was to repair a torn labrum and a complete supraspinatus tear. Plaintiff's medical bills were in excess of \$419,000 and all plaintiff's medical bills were billed under Letters of Protection ("LOP").

The jury returned a verdict finding plaintiff 60% at fault and Defendant 40%. The jury awarded: past medical expenses: \$419,000, future medicals: \$10,500, past pain and suffering: \$40,000 and future pain and suffering: \$20,000.

After the comparative fault reduction, the jury verdict was reduced to **\$195,823**. The final verdict was essentially **20%** of what Plaintiff requested from the jury.

## [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 insurance defense network.

Luks, Santaniello defends businesses and insurers in Liability, most insurance lines and Workers' Compensation matters. The firm has a diversified team of 75 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 Partner Dan Santaniello and Central and North Partners, Anthony Petrillo (Tampa) and Paul Jones (Orlando) are all **Florida Bar Board Certified Civil Trial Experts**. Partners Christopher Burrows, Patrick Hinchey and Joseph Kopacz are all **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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