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FLORIDA JURY VERDICT REPORTER (FJVR)

MARITZA LEWIS vs. BB&K PLANTATION COLONY, LLC; RICK PATTERSON, INC.,  
d/b/a STATEWIDE CONSTRUCTION; and MAGNUM ROOFING, INC.

Docket No.: 04-11038 (14); FJVR Reference No. 08:5-8

Verdict Date: **October** 25, 2007; Publication Date: **May** 2008

**TOPIC:** Falldown - Apartment Complex

**RESULT:** \$ 200,000 for Plaintiff. (verdict)

(\$ 50,000 - past medical expenses; \$ 20,000 - future medical expenses; \$ 60,000 - past lost earnings; \$ 50,000 - past pain and suffering; \$ 20,000 - future pain and suffering).

Plaintiff's Negligence: 20%; Defendant BB&K Plantation Colony's Negligence: 80%

**JUDGMENT:** Entry of judgment is pending.

**STATE:** Florida

**COUNTY:** Broward

**JUDGE:** Thomas M. Lynch, IV

**PLAINTIFF PROFILE:** Age: 54

Sex: Female

Occupation: Dental Assistant

**PLAINTIFF ATTORNEY:** William C. Ruggiero, Ft. Lauderdale

**DEFENDANT ATTORNEY:** Gary F. Baumann of Fulmer, Leroy, et al., Ft. Lauderdale for BB&K Plantation Colony; Donald E. Mates of Law Offices of James Gallagher, Ft. Lauderdale for Patterson; Orestes Perez of **Luks & Santaniello**, L.L.C., Ft. Lauderdale for Magnum Roofing

**CAUSE OF INJURY:** On November 26, 2002, Plaintiff allegedly slipped near the walkway behind her apartment at Defendant BB&K Plantation Colony located on SW 62nd Terrace in Plantation. Plaintiff claimed that she fell because of a crack in the walkway. Defendants Magnum Roofing and Statewide Construction were subcontractors working at BB&K Plantation Colony at the time of Plaintiff's fall. Defendants alleged that they never caused or contributed to any cracks or other damage in the area where Plaintiff's fall occurred.

**NATURE OF INJURY:** Comminuted fracture of right distal radius which required a corrective osteotomy with bone allografting and allocation of supplemental external fixation in addition to plate and screw internal fixation; comminuted fracture of ulnar styloid.

**PLAINTIFF EXPERT WITNESSES:** David A. Blum, M.D., Orthopedic Surgery, Plantation (video depo)