

## PRESS RELEASE

### **Andrew J. Rader, Esq., Obtains Near \$1,000,000 Judgment for Client, Characterized as One of the Largest Verdicts in Florida History Given the Particular Facts of the Case**

On November 29, 2012, Palm Beach County Senior Circuit Judge Howard Harrison entered Final Judgment in the amount of \$965,238.17 to a man who was injured in an automobile accident. The case, Nigel Desouza, plaintiff v. Yeinson Torres Hurtado and Viviana Hurtado Escobar, defendants. On March 30, 2012 a Palm Beach County Jury had awarded \$1,002,238.17. Mr. Rader reported that he believes this verdict to be one of the largest in Florida history given the particular facts of the case.

Plaintiff's Attorney: Andrew Rader and Cathy Bierman of Topkin, Partlow & Rader, P.L., Deerfield Beach, FL

Defendants Attorney: Paul Ginsburg of Luks, Santaniello, et al., Miami, FL

On October 31, 2008, plaintiff Nigel DeSouza was operating a motor vehicle, waiting at a traffic light on Glades Road and the Florida's Turnpike in Boca Raton, FL. He was completely stopped when defendant Yeinson Torres Hurtado rear-ended his vehicle. His vehicle sustained **\$340 in property damage** on the back bumper. The defendant admitted negligence, but stated that the accident was not the cause of Mr. DeSouza's injuries.

As a result of the accident, Mr. DeSouza suffered a herniated disk in his neck. He was treated and released at the hospital and later went to an orthopaedist for his injury. Mr. DeSouza received three epidural injections in his neck. Although he was recommended for spinal surgery, Mr. Desouza has not, to date, undergone the procedure.

Mr. DeSouza was a commercial aircraft pilot and avid martial artist. The plaintiff claimed that he was unable to practice martial arts since his 2008 accident. Due to his neck pain and rising blood pressure, he was unable to take his required FAA physical to fly as a commercial pilot. In December 2008, he lost his flight currency and was unable to work as a pilot. After almost two years of not working, Mr. DeSouza was able to fly again in October 2010.

Plaintiff's expert, Dr. Chung, testified that Mr. DeSouza would eventually need a fusion at C4-C5. He also stated that the expenses for future treatment would begin when the plaintiff turned 55. Mr. DeSouza was 44 years old when the accident occurred.

Attorney Andrew Rader initially demanded the \$10,000.00 bodily injury policy limits from the defendants' insurer, United Automobile Insurance Company.

The verdict breakdown of the award is as follows:

Loss of earning capacity from the date of trial.....	\$ 325,000.00
Past medical expenses .....	\$ 27,237.17
Future medical expenses.....	\$ 300,000.00
Past non-economic damages (pain and suffering, loss of enjoyment of life, mental anguish, scarring, disfigurement, and disability) .....	\$ 200,000.00
Future non-economic damages.....	\$ 150,000.00
<b>TOTAL.....</b>	<b>\$1,002,237.17</b>

**After setoffs for personal injury protection payments and for Mr. Desouza's unemployment compensation, the Final Judgment entered was \$965,238.17**

*Andrew J. Rader is a New York trial attorney who moved to Florida in 2000. He is a partner and Senior Trial Counsel at the law firm Topkin, Partlow & Rader in Deerfield Beach, FL. Andrew is a member of the Florida Bar Association, Florida Justice Association, Broward County Bar Association and the New York State Trial Lawyers Association. He is a graduate of the State University of New York at Binghamton and of The George Washington University of Law School (Cum Laude).*

*For the first ten years of his career, Andrew was a public defender in Bronx, New York and handled both plaintiff and defense personal injury and medical malpractice actions. In Florida, he has represented doctors and hospitals in medical malpractice actions and handled hundreds of plaintiff personal injury actions. Over the course of his career, he has obtained many significant verdicts and settlements for his clients. See more at [www.AttorneyRader.com](http://www.AttorneyRader.com).*

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