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# The Biggest Verdicts and Settlements Won by South Florida Attorneys in 2019



From left to right, Schlesinger Law Offices attorneys Brittany Barron, Jonathan Gdanski, Scott Schlesinger and Steven J. Hammer won a \$157 million award for plaintiff Bryan Rintoul, center, for the smoking-related death of his late husband.

by Raychel Lean

2019 saw jurors deliberate on a landmark same-sex tobacco case and a failed robotic garage, while South Florida litigators found common ground in behemoth bankruptcy disputes. Here's a look back at some of the largest awards and settlements of the year.

**No. 1: \$157 million verdict.** Fort Lauderdale attorneys Scott Schlesinger, Jonathan Gdanski and Steven J. Hammer of the Schlesinger Law Offices obtained a stinging \$157 million jury verdict against tobacco leaders Philip Morris USA Inc. and R.J. Reynolds Tobacco Co. for Bryan Rintoul, who sued on behalf of his deceased husband Edward Caprio. They'd been together since the late 1970s but couldn't tie the knot until same-sex marriage became legal in 2015. For Rintoul's claims to proceed,

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## VERDICTS

Broward Circuit Judge David A. Haimes had to make an exception in a case that could transform tobacco litigation for same-sex couples across Florida. “To all of the couples who were not permitted to get married, it speaks, really, volumes to have a jury of six people speak to Brian and Ed, and recognize that they had a meaningful relationship, and that they would have been married earlier if the law permitted it,” Gdanski said.

**No. 2: \$103 million settlement.** Victims of the collapse of a pedestrian bridge near Florida International University’s Sweetwater campus in March 2018 are on course to receive a \$103 million settlement after U.S. Bankruptcy Judge A. Jay Cristol approved a reorganization plan for general contractor Magnum Construction Management. It will be distributed in January, provided it survives an appeal window as anticipated. Six people died and 10 were injured when 950 tons of concrete and metal collapsed onto a state road, Southwest Eighth Street. Debtor’s counsel Jordi Guso of Berger Singerman said that although no amount would be enough, the settlement was “a textbook example of all the good that can be accomplished

in Chapter 11.” Creditors’ counsel Kristopher E. Aungst of Wargo French described the plan as a “win all around,” noting it wasn’t easy to find a resolution that benefited separate groups that were either physically or financially impacted by the accident.

**No. 3: \$70 million verdict.** Marc P. Kunen and Jose Becerra of the Ferraro Law Firm in Miami secured a \$70 million jury verdict for 71-year-old Charles E. Thornton, a former lab technician who claimed he contracted mesothelioma after being exposed to asbestos while working for biotech company Nabi Pharmaceuticals in Broward and Miami-Dade counties between 1976 and 2010. “The verdict is bittersweet,” Kunen said. “Obviously, we’re pleased with the results, but the reality is that Mr. Thornton is still suffering from this devastating cancer and it’s ultimately going to take his life.”

**No. 4: \$49 million settlement.** General Electric Capital Corp. was initially a victim of Tom Petters’ \$3.65 billion Ponzi scheme, but attorneys Michael Budwick and Solomon Genet of Miami’s Meland Russin & Budwick claimed the bank became a co-conspirator after seeing a way to get its money back. After eight years of investigation and litigation, they negotiated a \$49 million settlement agreement with GE Capital over the claims. The

win stemmed from a Florida bankruptcy case, in which Budwick and Genet represented the trustee for two Florida hedge funds — Palm Beach Finance Partners L.P. and Palm Beach Finance II L.P. — down \$651 million after lending it to Petters. “In a case like this, the only way you can be successful is to be very aggressive,” Budwick said.

**No. 5: \$42.5 million verdict.** Stuart Ratzan and Stuart Weissman of the Ratzan Law Group in Miami teamed with Edward Zebersky of Zebersky & Payne in Fort Lauderdale and John Crabtree of Crabtree & Auslander in Key Biscayne to secure a \$42.5 million verdict for a Florida man who blamed tobacco giants R.J. Reynolds Tobacco Co. and Philip Morris USA Inc. for his wife Irene Gloger’s lung cancer death. Though e-cigarettes didn’t exist when Gloger picked up her first cigarette in 1963, they featured heavily in the damages portion of the trial, when the plaintiffs pointed to the defendants’ efforts to target children with vaping advertisements. Ratzan stressed that he didn’t see the verdict as a win, considering it didn’t stop his client’s suffering.

**No. 6: \$41 million verdict.** Schlesinger Law Offices in Fort Lauderdale obtained a \$41 million verdict for former chief accountant of the U.S. Securities and Exchange Commission James Schnurr

and his wife in a premises liability suit against a members-only golf community in Jupiter. Schnurr was riding his bike at Jonathan’s Landing Golf Club when he struck an upright post and became a permanent quadriplegic. Scott Schlesinger and his team argued the post Schnurr collided with was “an accident waiting to happen,” as it had no place on the property, was difficult to notice and violated decades-old safety rules for sidewalks and roadways in South Florida.

**No. 7: \$40 million verdict.** A Miami-Dade jury awarded \$40 million to BrickellHouse Condominium Association Inc. over developer BrickellHouse Holding LLC’s handling of failed robotic parking technology. Residents at BrickellHouse Tower had expected their building to include a multimillion-dollar elevator that moved cars to parking spots within minutes. But when it malfunctioned after opening, the association lawyered up. It was a four-year fight for Helio De La Torre and Lindsey Thurswell Lehr of Siegfried, Rivera, Hyman, Lerner, De La Torre, Mars & Sobel in Coral Gables, who represent the association. “It was just incredible finally getting that victory,” De La Torre said.

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