

Florida Attorneys Leverage Insurance Company's Failure to Protect its Insured and Turn \$500K Policy into \$9M Settlement

Two South Florida attorneys won a large settlement for their client after an insurance company refused to its tender policy limits in a timely manner.

MIAMI, FL, UNITED STATES, March 8, 2023 /EINPresswire.com/ -- Two South Florida attorneys won a large settlement for their client after an insurance company refused to its tender policy limits in a timely manner.

An unnamed insurance company has agreed to make a \$9 million payout to Abraham Valdez, who was run over in a hit-and-run crash, after refusing to deliver the established policy limits in a reasonable time. Per the settlement terms, the insurance companies' names are confidential.



“

The lawyers at Kirshner, Groff & Diaz have the knowledge, resources and real-world experience to maximize your chances in court, or at the negotiation table.”

Law Offices of Kirshner, Groff & Diaz

“The insurance companies need to do what they are paid to do and act in good faith to protect their insured, which they are required to do under Florida law,” said Angel Diaz, partner at Kirshner, Groff & Diaz and co-counsel for Valdez. “They can’t put themselves first to protect their own interests.”

Angel Diaz and co-counsel Pedro Echarte, a partner at The Haggard Law Firm, in Miami, argued that the insurance company’s failure to tender the entire policy limit for nearly 400 days constituted bad faith and progressed the case beyond its original parameters.

Caught on camera

When Luis Iraheta rented a Lamborghini from GoExoticsLLC for an evening out in Miami in March of 2021, he never planned for it to go “from the best night of his life to the worst night of his life in the span of five minutes,” according to his counsel Benjamin Esco, a partner at Cole, Scott & Kissane in Miami.

Court documents show that Iraheta frequented multiple nightclubs before arriving at the Arena Grill & Lounge in North Miami in the rented Lamborghini. During the festivities, Iraheta was involved in an altercation. He and his friend were asked to leave by security guards. According to court documents, Iraheta was allegedly drunk when several people attacked him before he and his friend fled in the Lamborghini.

Mere moments later, Iraheta hit and ran over Valdez, failing to stop. The incident was caught on a cell phone camera and showed the defendant fleeing the scene. Approximately a mile later, Iraheta crashed the rented Lamborghini, and authorities arrested him. Esco said his client has expressed remorse for the incident. Iraheta is still facing criminal charges for his actions.

Catastrophic injuries

Valdez was transported to Jackson Memorial Hospital by ambulance, where he was intubated and remained in a coma for more than five weeks. After he awoke from the coma, Valdez still faced multiple intensive injuries and spent 85 days in inpatient rehabilitation before he was released from the hospital. He was informed by medical staff that despite his continued physical therapy, he would never walk normally again.

400 Days

According to court documents, Iraheta had an auto insurance policy with \$250,000 in coverage, and that carrier tendered its policy limits within 19 days of the incident and the resulting claim.

However, a separate \$250,000 policy that covered Iraheta as an additional insured driver failed to tender its policy limits for nearly 400 days, making it possible for Valdez’s counsel to seek a resolution in excess of the policy limits.

Echarte and Diaz argued that the insurance company’s actions were untimely and placed an undue burden on their client. Because of that, a case that could and should have been resolved at the inception for the stated policy limit had escalated due to the company’s failure to protect its insured. The carrier settled the case through its lawyers before trial, paying \$8.5 million to Valdez, roughly 34 times the original policy value.

A welcome relief

Angel Diaz said the settlement proceeds would help Valdez to receive the ongoing care he needs. While his girlfriend moved in with him before the crash and immediately assumed the role of caretaker when he was injured, Valdez required significant medical care, and the failure of the insurance company to provide a timely payment meant he couldn't secure it.

"He literally needed someone around the clock to help him, and he didn't have the resources to do it," Echarte said. "His conditions have improved quite a bit, but he's still going to need extensive care that he wouldn't have had without this result."

Circuit Civil Section CA02

Eleventh Judicial Circuit in and for Miami-Dade County, Florida

132021CA019615000001

2021-019615-CA-01

ABRAHAM VALDEZ vs LUIS IRAHETA et al

Angel Diaz

Law Offices of Kirshner, Groff & Diaz

+1 305-661-3633

[email us here](#)

Visit us on social media:

[Facebook](#)

[Twitter](#)

[LinkedIn](#)

[YouTube](#)

This press release can be viewed online at: <https://www.einpresswire.com/article/618850249>

EIN Presswire's priority is source transparency. We do not allow opaque clients, and our editors try to be careful about weeding out false and misleading content. As a user, if you see something we have missed, please do bring it to our attention. Your help is welcome. EIN Presswire, Everyone's Internet News Presswire™, tries to define some of the boundaries that are reasonable in today's world. Please see our Editorial Guidelines for more information.

© 1995-2023 Newsmatics Inc. All Right Reserved.