

MiamiHerald.com 

Posted on Wed, Apr. 30, 2008

Suit seeks to extend Poe insurance deadline

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A lawsuit has been filed against the Florida Insurance Guaranty Association claiming the agency failed to notify consumers there's a deadline for resolving claims against the failed Poe insurance companies.

The suit, filed Tuesday in Palm Beach Circuit County Court, alleges that many Florida homeowners and community associations are unaware of the June 2 deadline for settling open claims against the Poe companies or filing a lawsuit against FIGA to litigate disputed claims.

The suit asks the court to keep FIGA from enforcing this deadline and extending it for one year.

FIGA is the state agency that picks up and settles open claims when an insurer fails. The Poe companies -- Atlantic Preferred, Florida Preferred and Southern Family -- were taken over by state regulators in June 2006 and liquidated.

Alan Garfinkel, the attorney who filed the suit against FIGA, said former Poe policyholders who don't meet the deadline will be barred from seeking further compensation on their policies.

'It's astonishing that notice of this shortened statute of limitations has not been broadcast wide and far by FIGA to ensure that these individuals' rights are protected,' he said.

Without an extension by the court, the only way an association or homeowner can protect their rights is to file a suit against FIGA before the June 2 deadline.

Garfinkel said he will begin filing some 150 suits against FIGA in various circuit courts around the state to represent individual claims against the agency.

The attorney, a principal of Katzman Garfinkel in Fort Lauderdale, is seeking class-action certification for the suit against FIGA.

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