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## South Florida BUSINESS JOURNAL

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# Buckley Towers wins \$20M verdict

South Florida Business Journal - by [Paul Brinkmann](#)

A Miami federal court jury on Friday awarded Buckley Towers homeowners \$20 million in their claim against global insurance giant **QBE Insurance**, one of the largest condo insurers in Florida.

At issue was damage caused by Hurricane Wilma to the 40-year-old twin towers in North Miami.

During the nearly two weeks of testimony, lawyers for the mostly elderly condo residents claimed the storm's winds caused structural joints to come loose.

But, attorneys for the insurance company argued that the building's age and homeowners' failure to maintain the building caused the damage. The county has been threatening to condemn the building.

Lawyers for the insurance company also argued that Hurricane Wilma's winds in the area never grew strong enough to cause the kind of damage that was being claimed.

**Katzman Garfinkel Rosenbaum**, the law firm representing the homeowners, hailed Friday's verdict as a major precedent in hurricane insurance cases.

"Companies like QBE and **Lloyds of London** and Citizens and other insurance giants think they can delay and deny claims against the little guy," managing partner Alan Garfinkel said. "But, today, David slaughtered Goliath.

"The impact of this verdict will be heard throughout New Orleans, Texas and Florida," he said. "This isn't just QBE. This is a business model that the insurance companies perpetuate. They claim fraud consistently."

In his closing arguments on Thursday, managing partner Daniel Rosenbaum referred to Abraham Lincoln's 200th birthday, quoting from the Gettysburg Address: "We hold these truths to be self-evident."

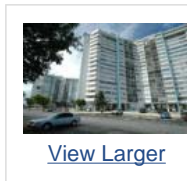
QBE argued the building's association committed fraud by inflating its claim.

"Some of these insurance companies are using tactics that are reprehensible and can no longer be tolerated," said Lee Katzman, also a partner firm representing the homeowners. "The association at Buckley is trying to protect the health and safety of its residents."

QBE has lost other cases recently, but the Buckley Towers case is among the larger judgments.

QBE faces more hurricane damage lawsuits in Florida. Another was filed Thursday.

QBE spokeswoman Sabrena Tufts said Friday the company declines to comment on the Buckley case or any litigation.

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