

MATTLAW.

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January 14, 2019

Jane Doe
(client's address)

RE: Our Client: Jane Doe
Date of Auto Crash: 1/21/2014

Dear Jane Doe,

This letter is to advise you that we have received the denial of liability from the negligent health care provider in this claim. I have enclosed for your review a copy of their letter of denial. Since they have rejected the claim our only action available at this time is to file a suit against the defendants. I am preparing the complaint which will be filed in the Circuit Court. The remainder of this letter is to acquaint you with what this means to you, and to comply with Florida Medical Malpractice Statute 766.106. Although the Defendant has rejected the claim, I am still confident that this is a good claim, and I am willing to invest my time and resources to prosecute your claim. It is difficult to estimate the costs that we will incur in your case, however, please keep in mind that the attorney fees and the costs will be contingent upon making a recovery. It is difficult to estimate the costs in your case; however they generally are between \$20,000.00 and \$75,000.00. All of these costs are paid by us, and we are reimbursed from the recovery obtained.

When suit has been filed, a summons is issued for each defendant. The summons are sent to a process server with a copy of the complaint to be hand delivered to each of the defendants in your case.

After the complaint is hand delivered to the defendant, they have 21 days in which to file an answer or several types of motions challenging the legal basis of the suit based upon a technicality. Usually, the defendant will give the complaint to their insurance company, who then hires an attorney to represent the defendant in the law suit.

The defense attorney then files with the Court, an Answer and Affirmative Defenses for the defendant, and sends a copy to me. This answer usually denies most of the allegations made in the complaint, and in turn will list their defenses. Affirmative defenses are a list of those things that the insurance company says that you could have or should have done to avoid injury, or indicate that you have already received some compensation for medical payments or disability.

During this time, the Defense attorney will usually send two additional documents, called Interrogatories, and a Request to Produce. These pleadings are for the purpose of allowing the defense attorney to obtain information from you, your prior work history, any criminal record, prior medical history, if you have ever been in any other accidents or lawsuits, etc.

We will forward the Interrogatories and Request to Produce to you for you to complete as a rough draft, and will work with you in answering them. You write your answers on the Interrogatories we mail to you, and then mail them back to me, and I will review your answers before sending them out.

Thank you for taking the time and energy that litigation requires, and I know that many times it seems rather unpleasant. However, the more prepared we are now, the sooner your case can be resolved.

Also, we are still in the Pre-Suit period with (LIST OF POTENTIAL DEFENDANTS STILL IN PRE SUIT) Each Pre-Suit will end at a different time. And as each one comes to an end, we will add them to the lawsuit.

Sincerely,

Matthew D. Powell
MDP/MDP
Enclosure: Letter Denying Liability
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