

IN THE CIRCUIT COURT OF THE 15TH JUDICIAL CIRCUIT IN AND FOR  
PALM BEACH COUNTY, FLORIDA

CIRCUIT CIVIL DIVISION  
CASE NO.: 502022CA009692XXXXMB

RUTH RUTCHIK,

Plaintiff,

vs.

DANA CAMPBELL and  
PROGRESSIVE SELECT  
INSURANCE COMPANY

Defendants.

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**DEFENDANT, PROGRESSIVE SELECT INSURANCE COMPANY**  
**REQUEST FOR ADMISSIONS TO PLAINTIFF**

The Defendant, PROGRESSIVE SELECT INSURANCE COMPANY, by and through its undersigned counsel, by and through its undersigned counsel, pursuant to Rule 1.350, Florida Rules of Civil Procedure, requests the Plaintiff, RUTH RUTCHIK, admit in this action, that each of the following statements are true:

1. Plaintiff received or is entitled to receive benefits from a collateral source, as defined by Florida Statute 768.76, for medical bills alleged to have been incurred as a result of the incident described in the Complaint.

2. Plaintiff received or is entitled to receive benefits from a collateral source, as defined by Florida Statute 768.76, for loss of wages or income alleged to have been sustained as a result of the incident described in the Complaint.

3. Plaintiff received or is entitled to receive benefits under the Personal Injury Protection portion of an automobile policy for medical bills alleged to have been incurred as a result of the incident described in the Complaint.

4. Plaintiff received or is entitled to receive benefits under the Personal Injury Protection portion of an automobile policy for loss of wages or income alleged to have been sustained as a result of the incident described in the Complaint.

5. Plaintiff received or is entitled to receive benefits under the medical payments provisions of an automobile insurance policy for medical bills alleged to have been incurred as a result of the incident described in the Complaint.

6. Plaintiff is subject to a deductible under the Personal Injury Protection portion of an automobile insurance policy.

7. Plaintiff received or is entitled to receive benefits pursuant to personal or group health insurance policy, for medical bills alleged to have been incurred as a result of the incident described in the Complaint.

8. Plaintiff received or is entitled to receive benefits pursuant to a personal or group wage continuation plan or policy, for loss of wages or income alleged to have been sustained as a result of the incident described in the Complaint.

9. Plaintiff, at the time and place of the incident described in the Complaint, had available a functional and operational seatbelt/shoulder harness restraint system.

10. Plaintiff, at the time and place of the incident described in the Complaint, was not using the available functional and operational seatbelt/shoulder harness restraint system.

11. Plaintiff's use of the available functional and operational seatbelt/shoulder harness restraint system, at the time and place of the incident described in the Complaint, would have prevented or lessened the injury and damage alleged by Plaintiff.

12. This action is subject to the Florida Motor Vehicle No-Fault Law, Florida Statute 627.730 - 627.7405.

13. Plaintiff is an insured person under the Personal Injury Protection portion of an automobile insurance policy which was in force on the date of the incident described in the Complaint which provides payments of benefits of eighty percent (80%) of all reasonable and necessary medical expenses incurred and sixty percent (60%) of loss or income or earning capacity from inability to work as a result of the injury sustained from the incident described in the Complaint to a maximum of Ten Thousand Dollars (\$10,000.00).

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy hereof has been furnished to the attorneys listed on the attached service list, by email, on this 21 day of November, 2022.

**FALK, WAAS, HERNANDEZ, SOLOMON,  
MENDLESTEIN & DAVIS, P.A.**

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## **SERVICE LIST**

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