

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

IAVNI EUGENIA MEIRELE
TRINDADE,

CIRCUIT CIVIL DIVISION

CASE NO. 50-2022-CA-002286-XXXX-MB

Plaintiff,

Vs.

MARIA ODETTE HART,

Defendant.

_____ /

DEFENDANT'S REQUEST FOR ADMISSIONS TO PLAINTIFF

Defendant, Maria Odette Hart, by and through the undersigned counsel, pursuant to Rule 1.370, Florida Rules of Civil Procedure, request Plaintiff, Iavni Eugenia Meirele Trindade, to 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 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 use of the available functional and operational seatbelt/shoulder harness restraint system, at the time 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 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 of 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).

14. Plaintiff did not sustain a permanent injury within a reasonable degree of medical probability other than scarring or disfigurement as a result of the subject accident.

15. Plaintiff did not sustain significant and permanent scarring or disfigurement as a result of the subject accident.

16. Plaintiff did not sustain significant and permanent loss of an important bodily function as a result of the subject accident.

17. One of more of your medical providers has a letter of protection in their favor, for your care and/or treatment, as a result of the incident which is the subject matter of the above captioned matter.

18. Prior to the date of the motor vehicle accident, which is the subject of this lawsuit, Plaintiff suffered from the same injuries and/or conditions for which he/she is claiming in this matter.

18. Prior to the date of the motor vehicle accident, which is the subject of this lawsuit, Plaintiff was assigned a permanent impairment rating by a physician.

19. Prior to the date of the motor vehicle accident, which is the subject of this lawsuit, Plaintiff has been involved in a motor vehicle accident in which he/she injured the same parts of her body for which she is claiming injury in this matter.

20. Prior to the date of the motor vehicle accident, which is the subject of this lawsuit, Plaintiff has made a claim and/or filed a lawsuit for the same injuries and/or conditions for which she is claiming in this matter.

21. After the date of the motor vehicle accident, which is the subject of this lawsuit, Plaintiff has been involved in a motor vehicle accident in which she injured the same parts of his/her body for which she is claiming injury in this matter.

22. After the date of the motor vehicle accident, which is the subject of this lawsuit, Plaintiff has made a claim and/or filed a lawsuit for the same injuries and/or conditions for which he/she is claiming in this matter.

WE HEREBY CERTIFY that a copy hereof has been electronically served via Florida ePortal to: Chase M. Nugent, Esquire, cnugent@forthepeople.com; jsheehan@forthepeople.com; on this 1st day of June, 2022.

/s/ Theresa S. Caccippio
Theresa S. Caccippio, Esquire
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