

**IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT
IN AND FOR LEE COUNTY, FLORIDA
CIVIL DIVISION
CASE NO: 22-CA-2600**

PHILLIP HALE,

Plaintiff,

-v-

**YAILIN MACHADO,
GOVERNMENT EMPLOYEES'
INSURANCE COMPANY,**

Defendant.

_____ /

PLAINTIFF'S RESPONSE TO REQUEST FOR ADMISSIONS

Plaintiff, PHILLIP HALE, by and through the undersigned attorney, responds to the Request for admissions of Defendant, GOVERNMENT EMPLOYEES' INSURANCE COMPANY, served the 19th day of July, 2022, as follows:

1. At the time of the accident that is the subject of this lawsuit, the vehicle in which you were riding had a fully operational seatbelt that was readily available for your use.

ANSWER: Admit.

2. At the time of the accident that is the subject of this lawsuit, the vehicle in which you were riding had a fully operational shoulder harness that was readily available for your use.

ANSWER: Admit.

3. You were not wearing a seatbelt at the time of this accident.

ANSWER: Deny.

4. Your failure to use a seatbelt produced or contributed to at least a portion of your claimed injuries or damages.

ANSWER: Deny.

5. Your claim is subject to the provisions of the "Florida Vehicle No-Fault Law".

ANSWER: Admit.

6. You have or had available No-Fault/PIP benefits paid or payable toward your claims for medical bills and/or wage losses.

ANSWER: Admit.

7. You have exhausted your No-Fault/PIP benefits.

ANSWER: Deny.

8. All PIP and/or medical payments coverage paid or payable for bills/losses incurred up to the time of trial are properly characterized as collateral sources, to be set off against any jury award for past medical expenses and past wage losses.

ANSWER: Deny.

9. You did not incur any lost wages as a result of the accident, which is the subject matter of this lawsuit.

ANSWER: Deny.

10. You did not incur any loss of earning capacity as a result of the accident, which is the subject matter of this lawsuit.

ANSWER: Deny.

11. All or part of your medical bills incurred to date have been paid or are payable by your No-Fault benefits.

ANSWER: Deny.

12. All or part of your lost wages incurred to date have been paid or are payable by your available No-Fault benefits.

ANSWER: Deny.

13. You did not sustain a "threshold" injury, as defined by the Florida Motor Vehicle No-Fault Law, in the incident alleged in your complaint.

ANSWER: Deny.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished, by email, this 28th day of July, 2022 to: Law Offices of Gabriel O. Fundora & Associates, Jarod Gilbert, Esquire, 5006 West Fletcher Ave., Suite 101, Tampa, FL. 33612, jarod.gilbert@kemoer.com; tampalegal@ipacc.com. Brett Gelman, Esquire (Geico) ftmyersgeico@geico.com.

/s/ Derrick Isaac
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