

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR BREVARD COUNTY, FLORIDA

FRANCIS DALESSANDRO,

CASE NO.: 05-2022-CA-050011

Plaintiff,

vs.

EURICA IGNACIO MEYERS and
ALLSTATE INSURANCE COMPANY,

Defendants.

DEFENDANT, EURICA IGNACIO MEYERS'
REQUEST FOR ADMISSIONS TO PLAINTIFF

Defendant, **EURICA IGNACIO MEYERS**, by and through the undersigned counsel, pursuant to Rule 1.370, hereby requests that Plaintiff, **FRANCIS DALESSANDRO**, to admit the genuineness and truth of the following, on or before thirty (30) days from the date of service below:

1. The Plaintiff had a policy of automobile No-Fault Personal Injury Protection insurance that was in effect at the time of the accident alleged in the Complaint which provides applicable insurance benefits.
2. The Plaintiff had a policy of automobile insurance which included medical payments coverage that was in effect at the time of the accident alleged in the Complaint which provides applicable insurance benefits.
3. The Florida Automobile Reparation Reform Act, commonly known as the Florida No-Fault Law is applicable to the cause of action alleged in the Complaint.
4. Plaintiff is subject to a deductible under the Personal Injury Protection portion of an automobile insurance policy.

5. Plaintiff received or is entitled to receive benefits pursuant to personal or group health insurance policy, for which no subrogation rights exist, for medical bills alleged to have been incurred as a result of the incident described in the Complaint.
6. Plaintiff received or is entitled to receive benefits pursuant to a personal or group wage continuation plan or policy, for which no subrogation rights exists, for loss of wages or income alleged to have been sustained as a result of the incident described in the Complaint.
7. 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 payment of benefits of eighty (80%) percent of all reasonable and necessary medical expenses incurred and sixty (60%) percent of loss of income or earning capacity from inability to work as a result of injury sustained from the incidents described in the Complaint to a maximum of Ten Thousand (\$10,000.00) dollars.
8. Plaintiff has not suffered any loss of wages as a result of the accident which forms the basis of this Complaint.
9. Plaintiff has not suffered any loss of earning capacity as a result of the accident which forms the basis of this Complaint.
10. Plaintiff has not incurred any medical expenses which have not been reimbursed or paid for by her PIP carrier or other collateral source as a result of the accident which forms the basis of this Complaint.
11. The collateral source provisions of Florida Statute §768.76 apply to the cause of action alleged in the Complaint and the total amount of all collateral sources paid to the Plaintiff is admissible into evidence and shall be deducted against any potential jury verdict awarding economic damages.

12. Plaintiff has not sustained a permanent injury as a result of the accident which forms the basis of this Complaint.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on **December 2, 2022**, a true and correct copy of the foregoing has been filed via Florida's E-Filing Portal to the following: **Grant R. Gillenwater, Esq.**, Morgan & Morgan, P.A., 940 S. Harbor City Blvd., Melbourne, FL 32901 (Email: ggillenwater@forthepeople.com, kweaver@forthepeople.com, and mkettlewell@forthepeople.com) and **Jennifer Miller Brooks, Esq.**, **Natalie Inchaustegui-Duenas, Esq.**, and **David Fernandez-Bravo, Esq.**, Hamilton, Miller, and Birthisel, LLP, 150 Southeast Second Ave., Suite 1200, Miami, FL 33131 (Email: jmiller@hamiltonmillerlaw.com, ndeunas@hamiltonmillerlaw.com, and dfbravo@hamiltonmillerlaw.com).

/s/ Sebastian C. Mejia

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