

IN THE CIRCUIT COURT OF THE NINTH  
JUDICIAL CIRCUIT IN AND FOR ORANGE  
COUNTY, FLORIDA

CASE NO.: 2022-CA-008348-O  
DIVISION: 33

MICHAEL LEATHERMAN,

Plaintiff,

vs.

ALEXANDRA VORACHEK,

Defendant.

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**REQUEST FOR ADMISSIONS**

TO: MICHAEL LEATHERMAN  
c/o Adrienn N. Toth, Esq.  
Morgan & Morgan, P.A.  
20 N. Orange Ave., Suite 1600  
Orlando, Florida 32801

COMES NOW, the Defendant, ALEXANDRA VORACHEK, by and through her undersigned counsel, and pursuant to Rule 1.370, Florida Rules of Civil Procedure, requests that the Plaintiff, MICHAEL LEATHERMAN, admit, in this action, that each of the following statements are true:

1. Please admit that all medical bills incurred by you in connection with the injuries you sustained as a result of the accident alleged herein have been paid by collateral sources.

2. Plaintiff received or is entitled to receive benefits from a collateral source, as defined by Florida Statute 627.736(3),

or Florida Statute 768.76, for medical bills alleged to have been incurred as a result of the incident described in the Complaint.

3. Plaintiff received or is entitled to receive benefits from a collateral source, as defined by Florida Statute 627.736(3) or 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.

4. 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.

5. 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.

6. 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.

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

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

9. 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.

10. 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.

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

12. At all time material hereto, ALEXANDRA VORACHEK complied with the provision and security requirements set forth in Florida Statute 627.730 - 627.7405.

13. Please admit that in this action, Plaintiff, MICHAEL LEATHERMAN, pursuant to Fla. Stat. §627.737, in order to recover damages for pain, suffering, mental anguish, and inconvenience, must prove, in whole or in part, that at least one of the following occurred as a result of this accident:

- (a) Significant and permanent loss of an important bodily function.

- (b) Permanent injury within a reasonable degree of medical probability, other than scarring or disfigurement.
- (c) Significant and permanent scarring or disfigurement.
- (d) Death.

14. Please admit that Defendant is entitled to raise, as a defense in this matter, the provisions of Fla. Stat. §627.737.

15. Please admit that 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 the injury sustained from the incident described in the Complaint.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via Florida Courts E-Filing Portal this 7<sup>TH</sup> day of December, 2022, to: Ms. Adrienn N. Toth, Esq., Morgan & Morgan, P.A., 20 N. Orange Ave., Suite 1600, Orlando, Florida

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