TRAUB LIEBERMAN

NEWS & EVENTS

February 24, 2023

Traub Lieberman Partner Ryan Jones and Associate Christian Romaguera Prevail in Complex Appeal Regarding Punitive Damages

BY: C. Ryan Jones

Traub Lieberman Partner Ryan Jones and Associate Christian Romaguera prevailed in a complex appeal which affirmed the trial court's order granting their client entitlement to claim punitive damages. Traub Lieberman represents a business as plaintiff in a commercial action based upon the Florida Motor Vehicle Repair Act, in which the firm's client has alleged a variety of fraudulent business practices against a vintage automobile repair shop and its owner.

The firm's client (the "Vehicle Owner"), the owner of an extremely rare vintage Rolls-Royce, had initially alleged that the defendants negligently repaired the vehicle after the Vehicle Owner paid the defendants a substantial sum of money for the work. Throughout the discovery process, Mr. Romaguera was able to establish that the defendants' course of conduct may have been intentional acts of fraud. Based upon that evidence of fraud, Mr. Romaguera moved the trial court to grant the Vehicle Owner entitlement to ask a jury to award punitive damages. Mr. Romaguera successfully argued the evidentiary hearing on punitive damages in Palm Beach County, and the defendants appealed to Florida's Fourth District Court of Appeals.

In the appeal, the defendants argued that the Vehicle Owner's expert witness "mostly speculated" that the defendants' invoices were inaccurate, and that the Vehicle Owner did not make a reasonable evidentiary proffer to permit an assertion of punitive damages. Traub Lieberman Partner Ryan Jones and Associate Christian Romaguera submitted a detailed written response summarizing the evidence and the law. The Fourth District Court of Appeals denied the defendants' request for an oral argument and affirmed the trial court's decision without further argument. The Appellate Court also granted the Vehicle Owner's motion for appellate attorneys' fees, which will be recoverable should the Vehicle Owner prevail at trial.

© Traub Lieberman Straus & Shrewsberry LLP