

## ABOUT THE FIRM

Goldberg & Rosen, P.A. is a boutique, Plaintiff's law firm based out of Miami, FL. The Firm exclusively handles personal injury, medical malpractice, wrongful death, and premises liability. The Firm was founded by Glen Goldberg over 50 years ago, and is now co-managed by his nephews, brothers Judd and Brett Rosen. Glen's legacy is that he passed not only the torch, but countless hours of mentorship to his nephews who in turn pass on their knowledge and experience to the lawyers that work alongside them. Although the firm has grown considerably

since its inception and now boasts 16 lawyers and over 30 staff members, Judd and Brett stay personally involved in every case that walks in the door. They spend the time to mentor and teach every member of their team. Growing up, Judd and Brett's parents were schoolteachers in West Kendall. Because of their upbringing, the Rosen brothers take an educational approach with all of their clients to ensure that they are knowledgeable about their case every step of the way. This practice style enables Judd and Brett to inform their clients and juries during trials.

### RESOLVING YOUR SERIOUS PERSONAL INJURY CASE IN ONE YEAR OR LESS

On June 24, 2021, the Champlain Towers South in Surfside, Florida collapsed in the middle of the night, killing 98 people and leaving hundreds of people homeless. This mass-casualty event shook the community, and predictably, spawned litigation as grieving family members searched for justice and accountability.

At the outset, it appeared to everyone that there would be an extremely limited recovery for the victims due to various legal hurdles. Judge Michael Hanzman, the circuit court judge assigned to the lawsuit, quickly recognized that without his close oversight and proper leadership, this case could quickly become another lawsuit that dragged on for decades as victims fought over a limited potential recovery. He wisely consolidated all cases and spearheaded a leadership counsel comprised of what he called the best and brightest lawyers in our community.

The Court appointed Judd Rosen and Goldberg & Rosen, P.A. as lead counsel for a class of wrongful death victims. Judd took the lead to investigate and ultimately recover over \$500 million dollars from Securitas, the security company that was hired by the building. Goldberg & Rosen also led a mediation to resolve the litigation dispute between homeowners with property damage claims and surviving family members with wrongful death claims.

Ultimately, the Champlain Towers South litigation settled just shy of the collapse's one year anniversary for a record breaking \$1.2 billion. Judd Rosen and the Firm were responsible for collecting nearly \$600 million of the total settlement proceeds.

If a case as complicated and contentious as the Champlain Towers Collapse case can be resolved in under one year, then yours can too. Below are three tips for making sure your personal injury case resolves in one year or less:

#### 1. PUSH THE CASE TO TRIAL

Nothing settles a case like a trial date. At trial, the defendant, and ultimately the insurance company, has the most to lose. Leverage the risk that the insurance company faces to force their hand by making sure that you have a trial date as early as possible during the litigation.

Immediately notice your case for trial and get a Trial Order as soon as the defendant has answered the complaint. The Trial Order will force both sides to start working to comply with all the deadlines. Take depositions; they make the defense prepare their witnesses. Send demands; they make the defense

lawyers send reports to their insurance carriers and trigger internal deadlines.

Send discovery requests; they make the defense compile documents and seek information from their clients. Every action has an equal and opposite reaction. All of these things are obviously necessary to prepare the case for trial, but these same things are also integral to making the defendant and insurance company prepare the case for a mediation, and hopefully, a winning settlement.



#### 2. UNDERSTAND THE MOTIVATIONS OF THE OTHER SIDE

Defense lawyers only get paid when they bill. The longer a case drags on, the more the defense lawyers get to bill the insurance company for their attorney's fees. The longer the case takes to get in front of a jury, the longer the plaintiff goes uncompensated for their terrible loss.

Conversely, a plaintiff and her lawyer are on the same team. The plaintiff wants to resolve the case as efficiently as possible for as much money as possible, and their lawyer wants to maximize the plaintiff's recovery. Plaintiff's counsel doesn't recover their contingency fee until the case resolves.

Hold your opponent's feet to the fire within the rules of litigation and professionalism, and your client will reap the benefits.

#### 3. DON'T LET PERFECTION BE THE ENEMY OF THE GOOD.

It is easy to get overwhelmed with uncooperative opposing counsels, large case loads, and other obstacles that come up during the practice of law. It is also easy to get caught up in making sure that every motion, every hearing, every argument, and every meeting goes perfectly. But the desire for perfection can often get in the way of actually getting things done.

In the majority of cases, detailed memos and lengthy special set hearings are not required. The experienced lawyers and judges on the other side have all seen the "run of the mill" issues before. The most important goal of any plaintiff's trial lawyer should be to push the case in a diligent, thoughtful, and purposeful way. If you drop the need for long-winded litigation, you will free up time to actually do what your client is paying you to do: win the case!

Sometimes, you can't get your case to resolution in under one year. Court dockets are clogged and other obstacles get in the way. However, advancing the case forward as efficiently and expeditiously as possible always helps the plaintiff. Delays **only** help the defense. An aggressive, fair, and diligent approach to every case will **always** pay dividends both on that case and on every case you handle in the future.

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