BRILL
&
RINALDI

THE LAW FIRM

FOR PEOPLE. FOR JUSTICE.

For People.
For Justice.

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At BRILL & RINALDI, The Law Firm, our motto is: For People. For Justice. We understand that when tragedy strikes, seeking justice can be a daunting task. Typically, the individual is faced with the challenge of fighting against a large insurance company or corporation, while at the same time trying to cope with their personal loss or tragedy. When you choose BRILL & RINALDI, The Law Firm, to represent you in your injury or wrongful death case, you do not only get one lawyer, you get all of them. Unlike other law firms that claim to provide a team approach yet hand your case off to an associate or paralegal, each member of BRILL & RINALDI, The Law Firm, will be involved in your case from start to finish.

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MOST EFFECTIVE LAWYERS
COMMITMENT • DETERMINATION • VISION

PREEMINENT™ AV
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At BRILL & RINALDI, The Law Firm, the "team approach" is more than just lip service. Unlike other law firms which promise team approach, BRILL & RINALDI, The Law Firm, was specifically designed to guarantee that every client receives the attention of every lawyer and staff. BRILL & RINALDI, The Law Firm, was created as a boutique law firm with the intent to take less cases but give more personal attention. BRILL & RINALDI, The Law Firm, understands that hiring an attorney usually accompanies the most difficult times of our client's life. This is why our legal team is dedicated to providing responsive, honest and passionate legal representation.

Our firm is committed to providing the highest standard of legal representation to our clients. BRILL & RINALDI, The Law Firm, understands the value of personal service. Yet personal attention must also be coupled with experienced and educated advice. BRILL & RINALDI, The Law Firm, strives to provide quality advice to all their clients, based on their years of experience. This experience comes from representing clients, both inside and outside of the courtroom. All of the attorneys at BRILL & RINALDI, The Law Firm, are trial attorneys, which means that when you are represented by the attorneys at BRILL & RINALDI, The Law Firm, you are being represented by a lawyer knowledgeable in the law and who is willing to prosecute your case all the way if needed.

David W. Brill

Joseph J. Rinaldi, Jr.

$844.6 MILLION

Largest Verdict in the Nation

On May 18, 2013, on South Federal Highway in Fort Lauderdale, Florida, 25-year-old Chris Morena-Vega got into a car while he was drunk and negligently drove it into the back of the scooter which 49-year-old Timothy Blaikie was operating. Auto America, a Fort Lauderdale based used car dealer, owned and negligently entrusted the car which Moreno-Vega drove. Mr. Blaikie was catapulted off his scooter and into the windshield of the car the drunken Morena-Vega was driving. Mr. Blaikie's spine fractured on impact, killing him instantly. Timothy Blaikie left behind his adoring wife, Suzanne, and her 18-year-old son, Joey, whom Tim had adopted a decade prior. Just nine days earlier, Joey had been sent with the rest of his U.S. Marine Corps platoon to fight in Afghanistan.

Suzanne hired attorneys from another law firm who, in turn, teamed up with David Brill and Joseph Rinaldi, Jr., of BRILL & RINALDI, The Law Firm. The lawyers in the two firms, together brought suit against Moreno-Vega and the auto dealership for Tim Blaikie's wrongful death.

The attorneys hoped to secure a monetary recovery for Suzanne and Joey, which at minimum, would compensate the family for the substantial financial loss of Tim's significant yearly earnings. However, records indicated that the drunk driver did not possess insurance or any appreciable assets, and neither did the auto dealer. Furthermore, neither the drunk driver nor the auto dealer responded to the lawsuit. That resulted in the court entering default judgments against each of them. All of the allegations in lawsuit were deemed admitted.

Yet, because the lawsuit requested a jury trial, a jury trial was still necessary to determine the amount of damages to which the family was entitled. That trial would cost the lawyers money to prosecute even though any compensation awarded from a verdict would ultimately never be paid.

The attorneys, nonetheless, never hesitated moving forward with the trial. To these lawyers, whose passion for people and justice is unmatched, the answer was simple: To give Suzanne and Joey the chance to have a jury validate by a dollar figure the depth of their grief and send a message to the defendant drunk driver and auto dealer who didn't even bother to answer the charge that they wantonly caused the death of Tim, let alone apologize for doing so. Only a jury of Suzanne's and Joey's peers, the lawyers knew, had the power via a favorable verdict to provide that validation, and with it a sense of closure.

JURY VERDICT

in 2015 Truly About Justice

Suzanne testified how the love Tim and she shared was the stuff of romance novels. With him gone, she was constantly lonely and alone, often felt she had no purpose, and frequently didn't want to even get out of bed. The hurt had failed to abate even two years after police knocked on her door to tell her that Tim was dead.

Joey, meanwhile, wrote a letter to his father, Tim, the day Joey was deployed to Afghanistan nine days before Tim's death. In it, Joey called Tim his hero for being the perfect husband, role model and, especially, father, and making Joey the man he had become. Joey, a National Honor Society student and two-sport athlete at a prominent Catholic high school, turned down a full academic scholarship to attend Florida State University to join the Marine Corps and help safeguard all of us and the freedoms we hold dear from terrorists. And to Joey, the man who adopted him was the hero. If that doesn't speak volumes of the man Tim Blaikie was, what would?

It and Suzanne's powerful testimony assuredly resonated like a din to the jury who heard the case. After about 25 minutes of deliberation, they reached a verdict awarding $844,566,000.00. The amount was about four times more than David Brill of BRILL & RINALDI, The Law Firm, asked the jury to consider awarding in his fiery closing.

And, hopefully, the message the verdict amount sends will be heard and, just like the letter and the testimony did with the jury, resonate like a din to the drunk driver and the auto dealer who lacked the courage to even participate in the process.

Yes, the verdict amount was and is extraordinary. But what was more extraordinary, and what personified what the trial was all about and why the lawyers tried the case despite the fact it would cost them money and they had no hope of recouping any, was what transpired after the verdict: The four women and two men who constituted the jury left their jury box and stopped at the large desk at which the lawyers and the Blaikie family had gathered. There, each juror, many of whom had tears in their eyes, hugged the attorneys and Blaikies, each of whom likewise had tears in their eyes. And, each juror said the words which the drunk driver and the auto dealer should have said more than two years ago: "I'm so sorry."

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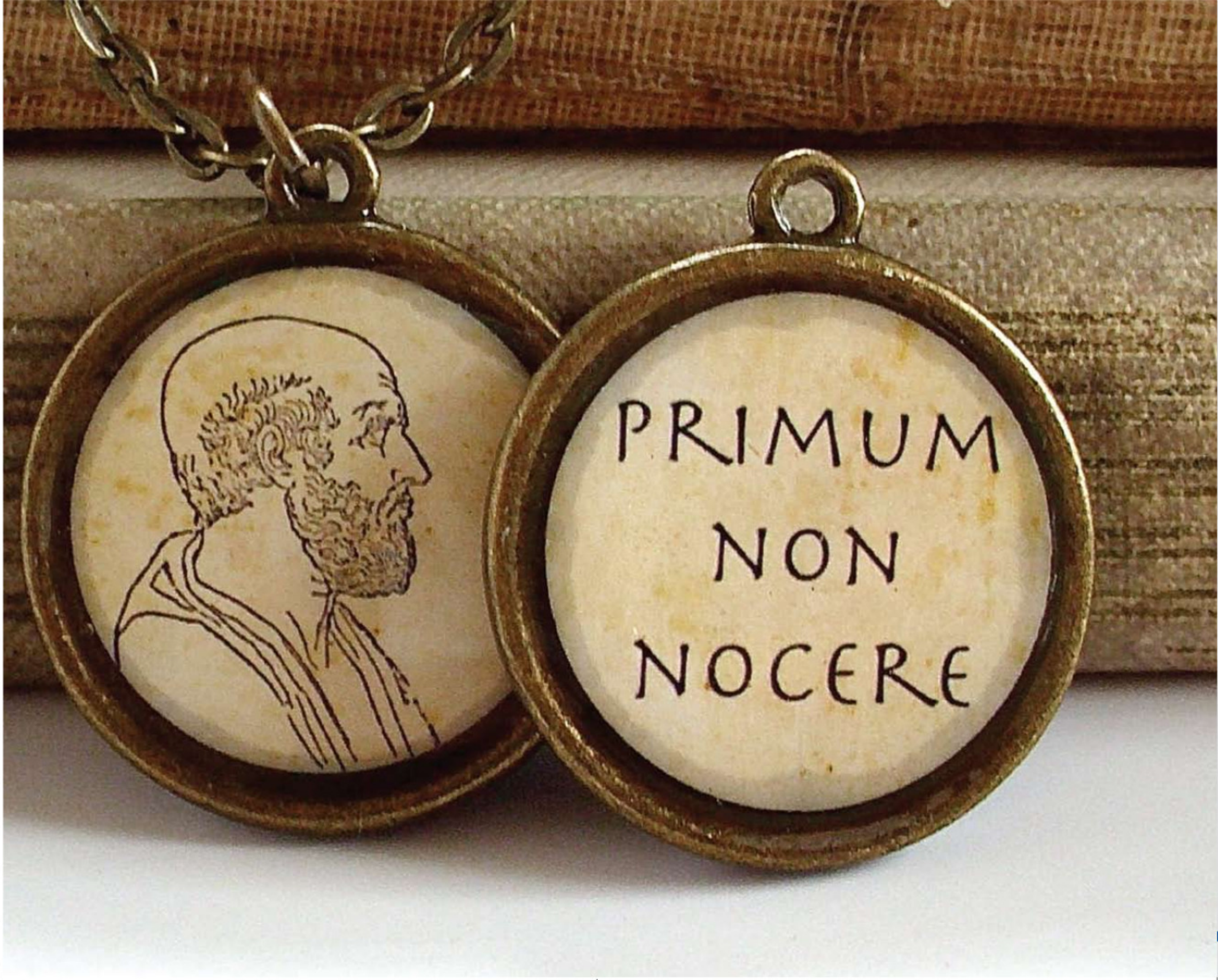
PRIMUM
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CLASS ACTION CASE

$14 MILLION SETTLEMENT

Patients Exposed to Hepatitis and HIV

BRILL & RINALDI, The Law Firm, along with two other firms, represented three plaintiffs on behalf of more than 1,800 patients who were endangered with feasibly contaminated saline from a nurse working at Broward General Medical Center. Between 2004 and 2009, the nurse administered tests in the cardiac stress lab reusing supplies intended for single use.

In 2009, an anonymous tip led to the discovery by the North Broward Hospital District and the nurse was terminated. Yet, as many as 1,850 patients could have been affected in the class action lawsuit. Among them were the plaintiffs, Russell Loland, Betty Westbook and Andrew Frank, who were subjected to testing that exposed them to deadly diseases, including Hepatitis C, Hepatitis B and human immunodeficiency virus (HIV).

The registered nurse, Qui Lan, admitted to reusing IV bags and intravenous tubing intended for single use with multiple patients. Throughout 2004 to 2009, lab managers and pharmacists at the hospital, who were in charge of distributing the sanitary saline bags, failed to question the nurse's practice. Hospital protocol should have also notified quality assurance teams that Lan was depleting far fewer supplies than needed for the amount of patients she was managing. Upon ascertaining Lan's actions in October 2009, Broward General Medical Center mailed letters to the exposed patients recommending they and their family members get HIV and hepatitis testing.

The class action case was settled on March 23 for $14 million. The total equated to $5,000 to $10,000 per class member

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The settlement covers the emotional and economic damages the 1,850 victims endured, along with their family members. Each one tested negative for the infectious diseases such as HIV and hepatitis.

Jury Verdict:

$9,486,000

Simpson vs. Steiner Transocean Limited

The Plaintiff was employed by Steiner Transocean Limited, a company which provided spa services on board a Norwegian Cruise Line ship. The Plaintiff asserted, under the Federal Jones Act, that an NCL cruise ship employee mopped the floor but failed to dry it, yet twice told Simpson that she was "done" implying the floor was indeed dry and safe. As Simpson was walking in the area, his legs slipped out from under him, and he landed on his back. Simpson sued Steiner Transocean Limited under the Jones Act, which permits direct lawsuits by seamen against their employers, alleging the company breached its nondelegable duty to maintain the spa in a reasonably safe condition for Steiner's employees, including Simpson. Steiner denied negligence and argued that the Plaintiff's symptoms were not causally related to the fall.

After deliberating for only 42 minutes, the jury found the Defendant 100% negligent and awarded the Plaintiff $9,486,000 in damages.

The Plaintiff's physicians testified that the Plaintiff sustained permanent damage to the nerves in his spine with resulting urinary and bowel incontinence and sexual impotence. The Plaintiff, 42 years old at the time of trial, testified that he is required to self-catheterize to urinate and to irrigate his bowels three times a week. The Plaintiff's physician testified that the Plaintiff will require a spinal fusion in the future. The Plaintiff underwent two penile implant surgeries to treat the sexual impotency, which he claimed was causally-related to the fall. He was married with six children and was employed as a truck driver prior to becoming a fitness instructor. The Plaintiff's treating physician opined that the Plaintiff is now limited to sedentary employment.

After deliberating for only 42 minutes, the jury found the Defendant 100% negligent and awarded the Plaintiff $9,486,000 in damages.

Unreasonable force in the arrest

On Thanksgiving morning, November 28, 2013, retired 61 year-old Michigan resident Charles Eimers voluntarily complied with the verbal instructions of two uniformed Key West Police Officers to "get on the ground" and to "do it now!" Mr. Eimers was standing on Southernmost Beach in Key West and only seconds before had calmly exited his car and walked a few steps toward its rear where he waited for the officers to arrest him following a slow speed police pursuit that started at a traffic stop a few minutes before and ended on Southernmost Beach.

Mr. Eimers was fully handcuffed, fully engulfed by at least seven officers, hit, Tased, rendered unconscious, his face completely caked with sand. That is how and why he stopped breathing and his bad heart gave out.

The two officers approached Mr. Eimers with their service weapons drawn and pointed at Mr. Eimers while they screamed. A third officer appeared and approached with an AR15 rifle pointed at Eimers' head. Mr. Eimers was unarmed and at no point before or after officers ordered him to the ground had Mr. Eimers threatened, screamed, cursed, assaulted or battered any officer. Mr. Eimers immediately complied, dropped to his knees and then his stomach as directed, in complete surrender.

Mere moments later, seven officers surrounded Mr. Eimers, some of whom applied pressure to his person. Mr. Eimers was ill with a compromised heart. But, the police had Mr. Eimers put his face in the soft sand. Eimers struggled to breathe until he could breathe no more and his heart gave out. He died with the seven officers still surrounding him. He left behind four adult children.

The officers denied that they utilized unreasonable force in the arrest of Mr. Eimers. They denied that Mr. Eimers ever had his face pressed into the sand in a way that could cause him either to stop breathing, stop the functioning of his heart, or both. They denied that any of them discharged a Taser onto the body of Mr. Eimers.

BRILL & RINALDI, The Law Firm, along with co-counsel Horan & Horan, Lewis Legal and the McKee Law Group, sued the City of Key West and all of the officers who participated in the vicious arrest for violating Mr. Eimers' civil rights. The attorneys left no stone unturned and spared no expense, and they proved that the officers lied. Chief among the many things they did, the attorneys located a tourist in South America who had video footage depicting despicable acts of police violence. Mr. Eimers was fully handcuffed, fully hobbled, fully engulfed by at least seven officers, hit, Tased, rendered unconscious, blue, bloodied and had his face completely caked with sand. That is how and why he stopped breathing and his bad heart gave out.

The image above is a freeze frame from the video BRILL & RINALDI, The Law Firm, and their co-counsel found. The City of Key West and the officers settled at mediation for $900,000, the limits of their insurance coverage.

ADMIRALTY/MARITIME
CREWMEMBER INJURY AND DEATH

Severely Brain Damaged

Plaintiff was working as a seaman for Defendant aboard one of Defendant's cruise vessels. Under the law, the Defendant was obligated to provide prompt and adequate medical treatment for any illness or injury the Plaintiff suffers while on board.

During a three day period while the ship was on an Alaskan journey, Defendant failed to properly diagnose Plaintiff or send Plaintiff ashore for a proper diagnosis. Plaintiff was suffering from a sentinel bleed event in his brain during that time frame, and Defendant misdiagnosed Plaintiff aboard the ship with an acute gastroenteritis and allergic meningitis. Defendant then failed to airlift the Plaintiff from the vessel for hospital care when it was clear Plaintiff was suffering from a left anterior communicating artery aneurysm rupture. The Defendant instead opted to continue its journey for its passengers to see a glacier.

Plaintiff suffered severe and debilitating neurological deficits, inclusive of profound brain damage, from the aneurysm and consequential meningitis and hyrdocephalus. Plaintiff's damages are so profound that he does not eat unless instructed to or speak unless spoken to, and he requires continuous attendant care.

After we filed suit, the Defendant cruise line settled with us for a confidential amount that will afford the Plaintiff the care he requires for his lifetime.

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Paralyzed

A young crewmember was working as a waitress aboard a cruise ship in one of the ship's many restaurants. The restaurant had a revolving door which led to the kitchen. Crewmembers rushing to do their job often pushed the revolving door to get through the doors more quickly than the door turned on its own. A fellow crewmember failed to look through the viewing window and pushed the door without considering that our client was walking in the opposite direction. The door hit our client's foot causing her to fall forward, strike her head on the door and then fall to the floor.

We reached a confidential settlement with the cruise line securing the financial future of our client.

The woman's back pain increased over the ensuing days to the point she was desperately in need of medical care from a specialist ashore. The ship was required by law to make provision of prompt and adequate medical treatment. The ship sent the woman to a shore side physician who diagnosed the need for an immediate spinal surgery. Yet, instead of coordinating the surgery for the crewmember at a properly equipped hospital, the cruise line sent her thousands of miles away to her home country where the surgery could be done at a cheaper cost to the cruise line.

The result of the cheaper surgery was an improperly performed surgery which left our young client paralyzed. We successfully brought her to Miami to secure her treatment with some of Miami's finest physicians. Eventually, the treatment these physicians provided permitted the woman to walk again, but her mobility remained severely limited. She also continued to suffer from bowel and bladder incontinence. Her spouse had to provide round-the-clock care.

We reached a confidential settlement with the cruise line securing the financial future of our client and assuring her spouse would be her partner in life as opposed to her care taker.

Pool Drowning

We won confidential settlements on behalf of both grief-stricken, surviving parents.

The boy was only five years old. It was his first time in a pool. The day camp's counselors and swimming club's lifeguards were supposed to watch the child and keep him safe. They didn't. The boy ended up in the deep end and drowned. The counselors and lifeguards could have still saved him if any of them knew how to perform CPR properly, but none did. We quickly and diligently secured the evidence of the gross incompetence of the counselors and lifeguards, including copies of 911 calls, interviews of witnesses and helicopter photographs of the scene. Then we won confidential settlements on behalf of both grief-stricken, surviving parents.

Negligently Maintained Store

The young man knocked once on the plate glass, storefront window in an apparent effort to capture a look at the pretty face of the restaurant owner's daughter. The plate glass window, however, reacted unreasonably and harshly to the young man's simple, innocuous act by breaking into large, thick, razor-edged, pieces, some of which cascaded down. One piece instantly, mercilessly sliced through the young man's left hand and another piece cut the young man's neck. The young man fell, bled out and died.

We represented the young man's mother in claims of wrongful death against the restaurant and its owners. Our engineer used his laboratory's Standing Electron Microsope and EDS System Spectograph to determine that the owners had failed to replace the storefront window when they purchased the restaurant years earlier, even though the window had multiple BB holes. These BB holes had wholly destroyed the structural integrity of the glass.

The restaurant and owners settled with us for confidential amounts.

The restaurant and owners settled with us for a confidential amount.

Van-SUV Crash

The insurance company… settled with us for a confidential figure that secured the financial futures of the widower and children.

She was only 31. She was married to her college sweetheart, and the two, who doted on each other, had two young sons whom they cherished, and who, in turn, cherished each of them. A commercial van ran a red light, slammed into the driver door of the small SUV she was driving, and killed her. The van driver blamed a large tree limb for blocking his view of the red light. We rented a van of the exact same make and model year, positioned a driver at the same height as the van driver, and video taped a reconstruction of the crash which proved the van driver was lying. The insurance company of the corporation for which the van driver worked settled with us for a confidential figure that secured the financial futures of the widower and the children who survived the tragic loss of their wife and mother.


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CASES
SESSION
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Motorcycle-Car Crash

After contentious litigation, all of the entities settled, each for confidential amounts.

Husband and father of two young boys was traveling on a motorcycle heading north. At the same time, a woman was traveling east in her car. As the woman reached the stop sign, she looked both ways at the intersection and saw no vehicles impeding her from crossing. Unbeknownst to her, the husband/father was riding up to the same intersection, yet was blocked by hedges on the median. The woman proceeded to cross the intersection and by the time the husband/father noticed the woman crossing the intersection, it was too late.

We filed a wrongful death lawsuit on behalf of the gentleman's wife and children against various entities responsible for the maintenance of the hedges in the median. After contentious litigation, all of the entities settled, each for confidential amounts.


We the People
Article I

Three Longshoremen Asphyxiate

The 20 foot long tank contained argon in a super-cooled liquid form. It had a rusted and broken safety wire on the important valve located on the tank, indicating the valve was tampered with; someone tightened the valve too much, likely in an effort to preserve more of the argon product for the end user.

The tank was lowered into the bottom of the hold of a ship for transport to another country. Before the ship could leave port, however, the argon started leaking excessively out of the tank and into the hold of the ship. One longshoreman went down to inspect the tank. But the argon had displaced the oxygen in the hold, so the man suffocated. A second longshoreman – the father of five children whom we represented – went down to rescue the first man. He, too, was overcome by the argon and suffocated. A third man followed, and suffered the same fate.

We led the prosecution of the wrongful death cases against 14 different companies responsible for contributing to putting the defective tank in commerce and causing the deaths of the three men.

We led the prosecution of the wrongful death cases against 14 different companies.

FLORIDA'S CAPITOL BUILDING

Negligent Paramedic Care

In the early morning hours, the child, just four years of age, began having seizure activity. The Selvas, then married and living together with their two children, called 911 for paramedic assistance. Paramedics arrived promptly and began transporting the seizing child to the hospital. Critically, however, the only oxygen the rescue personnel administered during transport was via standard mask, instead of a valve mask, and the personnel did not have and/or utilize an O2 saturation monitor. Moreover, it was clear that the rescue personnel did not watch the child's oxygen intake as they should have. Upon arrival at the hospital, the child was cyanotic, or oxygen starved, with her skin appearing blue in color. Despite the heroic efforts by the hospital personnel, the child had already suffered permanent brain damage as a direct result of lack of oxygen.

We secured a settlement of $2,625,000.... Ours was one of only three claims bills passed into law.

We sued the City of Miami for the failure of its rescue personnel to treat the oxygen-starved condition of the child en route to the hospital, and we secured a settlement of $2,625,000. However, because the City of Miami was protected under a legal doctrine called sovereign immunity, the most the City of Miami would be obligated to pay was $200,000. That is unless the Florida legislature passed what is called a claims bill into law just for this particular child for an amount more than that.

So, we lobbied the legislature to do just that. Getting the legislature to pass a claims bill is no small feat: None were passed in the three years before we lobbied for this child's bill. But we were undaunted. And we succeeded. Ours was one of only three claims bills passed into law.

Whipple vs. Royal Palm Gardens, et al.

On an August day, Dwayne Whipple and Kimberlee Whipple took their 7-year-old son Kevin to the hospital and left their younger decedent, 2-year-old, Jaylen Whipple in the care of his aunt and his great-aunt at the Whipple's apartment in Royal Palm Gardens. Royal Palm Gardens borders another housing community, Homestead Colony Apartments. These two housing communities are separated by a chain-link fence, which travels the perimeter of, and are owned and controlled by, Defendant Royal Palm Gardens. Two other Defendants, Swezy Realty and Centennial Management Corporation, had management responsibilites of Royal Palm Gardens.

The trial court concluded… that the Defendant owed no legal duty to 2-year-old Jaylen to properly maintain the fence so as to prevent him from access to the lake… The appeals court agreed with us and reversed the trial court.

The aunt went to retrieve her cell phone charger out of her car. Unbeknownst to her, Jaylen followed her out the front door of the apartment. He crawled under the hedges and through one of the gaps/holes in the chain-link fence into the neighboring Homestead Colony Apartments. Rescue divers later discovered Jaylen submerged a few feet from the shoreline of the lake. He was taken to the hospital and pronounced dead due to drowning.

We filed a wrongful death action against the Defendants on behalf of Mr. and Mrs. Whipple for the death of their young son alleging that Jaylen died as a result of the Defendants' negligence in failing to properly maintain a boundary line fence on their property in a safe and secure manner. The trial court granted the Defendants' summary judgement motion seeking a dismissal of the case. The trial court concluded, as a matter of law, that the Defendants owed no legal duty to Jaylen to properly maintain the fence so as to prevent him from access to the lake. The trial court also concluded that as a matter of law, the Defendants' alleged negligence was not a legal cause of Jaylen's drowning death.

We appealed. We recognized that the established law in Florida is and was that no one could be held legally responsible for not building a fence. But we contended that the trial court erred in not finding that the Defendants were potentially liable, pursuant to a legal theory called the undertaker's doctrine, for having undertaken to in fact build one – that the Defendants voluntarily undertook to build a perimeter fence around the subject property, and therefore had the implied duty to act with reasonable care to maintain that fence.

The appeals court agreed with us and reversed the trial court.

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