

He Dropped His Pants: How Attorneys Persuaded Broward Jurors to Return a Nearly \$24M Verdict

Jurors returned the eight-figure verdict after deliberating for less than an hour.

by Michael A. Mora

What You Need to Know

- The attorneys reached settlements with six of the eight defendants before the one-day trial.
- In court, the litigators went beyond merely telling the jury what happened to their client and presented a video and live presentation of their client's damages.
- The jury returned a nearly \$24 million verdict after less than an hour of deliberations.

Two South Florida attorneys convinced a jury to return an eight-figure verdict, despite their client lacking the appearance of any permanent physical injuries as he sat in the Broward Circuit Court during a one-day trial.

Michael Pike and Robert Johnson, partners at Pike & Lustig in West Palm Beach, represented Giovanni Verduzcoa—a construction laborer, whose legs were pinned under a tractor at a construction site.

Opposing them were defendants Quad-M Construction & Development LLC, and one of its subcontractors, David Tapia. Quad-M did not have counsel listed in the court docket. Luis Nestor Perez, a solo practitioner based in Coral Gables who represented Tapia, did not respond to a request seeking comment.

The litigators for the plaintiff said to reach the multimillion-dollar jury verdict, they went beyond merely telling the jury



Robert "Burr" Johnson, left, and Michael Pike, right, partners at Pike & Lustig in West Palm Beach.

Courtesy photos

what happened. They instead showed live coverage of their client's accident and had their client—who did not appear injured in court—"take his pants down," so the jury could see "all of the horrible scars, indentations and deformities in his legs."

"When you have a severe injury, you have to give the evidence to a jury in the manner

that they will feel it—not just understand it,” Johnson said. “If you can get the jury to feel your client’s pain, then you are already one step ahead.”

‘Bones Protruded Through His Skin’

In April 2016, a supervisor failed to ask if Verduzcoa had any experience or training before having him operate a heavy piece of machinery, according to the complaint. And while operating the tractor, Verduzco somehow ejected himself, causing him to become trapped under it, court documents show.

During the 90 minutes Verduzcoa was trapped, he went in and out of consciousness as both of his legs were snapped and his bones protruded through his skin. Meanwhile, reporters covered the ensuing rescue on live television, Johnson said.

Several surgeries have not relieved Verduzcoa of the pain

he suffers to this day, according to the complaint. After Pike and Johnson filed the lawsuits, they reached settlements of more than \$1 million with six defendants, leaving Quad-M and Tapia as the holdouts.

In the courtroom before Broward Circuit Judge Carol-Lisa Phillips, Pike and Johnson showed the jury the rescue coverage that documented the tremendous pain Verduzcoa suffered. As the television coverage unfolded, the litigators provided analysis to the jury—which was key to the legal strategy—and had their client display his wounds to show this was real life.

“Take the jury on the tour of the life of your client,” Pike said. “[Show] the pain that your client experienced from the time of the injury, to the time of surgery to the time of rehabilitation, to what we’re dealing with today, and what the per-



**Broward Circuit
Judge Carol-Lisa
Phillips**

son will deal with for the duration of their life.”

Because of that vivid presentation, the circuit court jury

returned after less than an hour of deliberations with a nearly \$24 million verdict against Quad-M and Tapia, with liability divided 70 percent and 30 percent, respectively.

In reaching that result, the jury found that Verduzco “sustained a permanent injury within a reasonable degree of medical probability as a result of the subject incident” because of the defendants’ negligence, according to the verdict form.

Johnson said, “When you have a client like this, who is going to be injured for the rest of his life until he dies, it is important to get every single dollar because this is his one shot.”