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# QBE target of another Buckley Towers lawsuit

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After winning a case in Miami federal court, attorney Daniel S. Rosenbaum has filed a another lawsuit against **QBE Insurance Corp.** for more than \$500 million in damages.

The new suit, filed this week, also names QBE's managing general agent, Florida Intracoastal Underwriters Limited Co., a wholly owned subsidiary of **Brown and Brown** (NYSE: BRO).

It alleges the companies engaged in deception and fraud with regard to their handling of hurricane-related claims filed by Buckley Towers Condominium in Miami.

Earlier this year, the Miami-Dade County Unsafe Structures Board condemned the two 17-story towers on Miami Gardens Drive, and ordered them to be demolished in late 2010 unless they are repaired. Buckley Towers has 564 units, which are home to more than 1,200 residents.

**In February**, Rosenbaum, managing partner of **Katzman Garfinkel Rosenbaum LLP** in West Palm Beach, won the case against QBE for about \$25 million, plus \$1.75 million in attorneys' fees.

In that case, condo residents challenged the insurance company's refusal to pay their insurance claim. QBE, for its part, argued that the 40-year-old building's lack of maintenance was to blame. It also argued the claim was fraudulently inflated, which would have meant total denial of coverage.

The new suit alleges that Florida Intracoastal Underwriters and QBE hired an estimator whose Florida insurance adjustor's license was revoked for failing to disclose felonies, including one for insurance fraud. The company also retained engineers and inspectors "in an attempt to minimize the damages that Buckley Towers sustained," and has done this routinely, as a business practice, to communities all over Florida.

In March, the **Business Journal reported** that six other bad faith lawsuits seeking a combined total of at least \$120 million seeking punitive damages and emotional stress, were filed against QBE by Buckley Tower residents.

Calls to QBE's attorney, William Berk, of **Berk Merchant & Sims** in Coral Gables, were not immediately returned.