

Supporting Our Community



Florida's Justice System

Another great day of **Justice Teaching Training at Bak Middle School**. Attorneys **Scott Murray and Jason Guari** taught 7th graders about the role and importance of the U.S. and Florida Constitutions. ■



No Shave November

Attorney **Scott Perry** participated in the Palm Beach County Bar Association Young Lawyers Section's No Shave November challenge. No-Shave November is a month-long journey during which participants forgo shaving and grooming to raise cancer awareness. ■

Thank You For Your Confidence And Trust In Us

We at Murray Guari are thankful and humbled by the **positive feedback from our clients**. We remain strong in our focus – helping our clients when they need it most. Here is a recent comment from by a client:

We were referred to Murray Guari Trial Attorneys from one of its past, satisfied clients. We were in a pretty bad auto accident that was clearly not our fault. The firm's guidance and advice - through a tough and painful time - made dealing with a difficult situation much more palpalbe. The law firm's "all hands on" approach makes it easy for us to recommend the firm in the future.

~ P&J



Meet Naomi DiNapoli

We are very pleased to welcome Naomi DiNapoli as our new Receptionist and official office greeter at Murray Guari Trial Attorneys.

Naomi will assist our attorneys and staff to ensure our clients and visitors feel at home and at ease when they visit or call our office. ■

Murray Guari – Hablamos Español

Nosotros, tanto como usted, llamamos el Sur de la Florida nuestro hogar. Practicamos la ley de lesiones personales en todas partes de la Florida y estamos orgullosos de ofrecer nuestros servicios en los condados de Palm Beach, Broward, Martin, y Treasure Coast. Tenemos más de 30 años de experiencia legal combinada. Si usted tiene un accidente de auto, un resbalón o caída, un producto defectuoso, negligencia médica o algún otro tipo de negligencia, llámenos al (561) 366-9099 o póngase en contacto con nosotros en el Internet en www.murrayguari.com. Nosotros tenemos un abogado disponible para hablar con usted en cualquier momento. ■

Recognitions

Our attorneys have been recognized on the local and national levels for their achievements in law, as well as their community leadership and other activities.



1525 N. Flagler Drive, Suite 100
West Palm Beach, FL 33401



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Murray Guari Trial Attorneys PL

How Can We Help?

At Murray Guari Trial Attorneys PL, we **represent victims** throughout Florida who have suffered serious personal injuries due to the negligence of others. At our firm, you will find a team that is **truly concerned about your well-being and getting justice for you.** We are proud that our clients come to us based on a personal recommendation from past clients and from other attorneys in the community who respect our reputation and the quality of our work. We would be honored to put our experience, skill and integrity to work for you. ■



Scott B. Perry, Jason J. Guari, and Scott C. Murray

Personal Injury | Wrongful Death | Auto Accidents | Product Liability | Premises Liability

1525 N. Flagler Drive, Suite 100 • West Palm Beach, FL 33401

561.366.9099 • Fax 561.366.9098 • murrayguari.com





Murray Guari
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Sovereign Immunity: Injustice for Florida's Victims

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Sovereign Immunity

Caps on Damages for Government Liability: Outdated & Unfair

Did you know that if you are in a car accident caused by a government entity or you are injured on government property, the state or any of its agencies or subdivisions may have no responsibility at all or at best may have **limited responsibility and damage will be capped?**

Florida law shields the government and its employees under the principle of sovereign immunity which is a legal doctrine which has its roots in old England where **“the King can do no wrong.”** In the early 1970s, citizens of Florida were barred from suing the state or any of its agencies or subdivisions. In 1975, the Florida legislature enacted Fla. St. §768.28, which provides a partial waiver of Florida’s sovereign immunity.

Our Client’s Case:

Our client learned about the limitations of the Sovereign Immunity doctrine only after a violent crash caused solely by a Palm Beach County bus driver that changed her life forever (see photos on right). From the beginning, we advised her that under Florida law, damages for government wrongdoing is capped at \$200,000 per person, even if a jury returns a higher verdict. **This cap is simply too low given the cost of medical care today.** Our client’s medical expenses already topped \$140,000 and her treating doctors estimated the cost of future medical care over her lifetime at more than \$500,000.

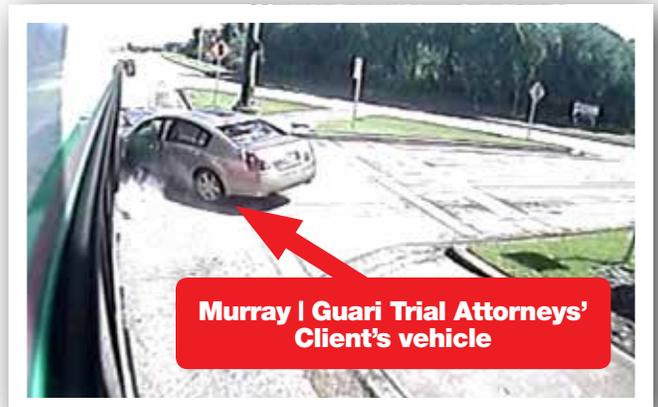
In an interview with CBS 12, **Attorney Scott Murray** calls the government’s cap outdated. “These government entities do not take full responsibility for their actions and hide behind sovereign immunity,” he said. CBS 12 took our client’s case to State Representative Dave Kerner and asked if the cap is fair. Representative Kerner would rather see a system that protects both the state and its residents.

Claims Bill:

Other than simply accepting the \$200,000 capped limit, the only other option for our client is to seek a jury verdict and then take legislative action by filing a claims bill to waive the cap. **Claims bills** start with court judgments that are examined by “special masters” who advise the House and Senate. The claims bill process is no guarantee of a settlement above the cap as success often requires strong sponsorships, good lobbying and strong public relations. In fact, many claims bills never make it to the debate floor and can take three to ten years to process.

While many believe that sovereign immunity is outdated and that the claims bill process is flawed, reform has been unsuccessful. In 2013, a proposal to increase caps to \$1,000,000 to encourage local governments to buy insurance failed the special House committee.

We strongly believe that the rationale underlying sovereign immunity needs to be re-examined and the government should be held fully accountable. ■



Our client’s crash with the County bus.

Road Debris

Dangers on Florida's Highways

The AAA Foundation for Traffic Safety reports that between 2011 and 2014, **more than 200,000 car accidents were caused by road debris**. These accidents resulted in 39,000 injuries and 500 deaths. Experts believe these numbers are low as many incidents often go unreported.

According to WPTV, during this same time period, there were more than 450 debris-related crashes in Palm Beach County and the Treasure Coast, affecting almost 750 people and injuring dozens, one fatally.

Palm Beach County has the highest number of road-debris incidents of any county in Florida.

In August 2016, the Florida Department of Transportation (FDOT) collected 83,000 pounds of debris on I-95 and another 9,500 pounds from side roads.

AAA considers debris-related crashes when vehicles:

- Strike or are struck by an object that falls from another vehicle
- Strike a non-fixed object in the travel lane of the roadway
- Attempt to avoid a non-fixed object in the travel lane of the roadway and subsequently crash

Road debris can puncture tires, break windshields, damage undercarriages, and even cause you to lose control of your vehicle where you slide, skid or possibly rollover. Road debris not only causes serious injury to drivers and passengers, but it can also kill.

While these accidents are extremely dangerous, many are preventable. ■

Prevent Road Debris:

- **Maintain Your Vehicles** – check your tires and exhaust system
- **Secure Vehicle Loads** – properly secure and tie down all items (including furniture and ladders) and do not overload vehicle
- **Drive Defensively** – continually scan the roadway looking for hazards and avoid speeding and tailgating
- **Report Debris** – call *FHP or local law enforcement to report any roadway debris

Common Road Debris

- Chunks of Metal
- Shredded Tires
- Palm Fronds
- Furniture
- Construction Materials
- Appliances
- TVs
- Ladders
- Wooden Pallets
- Vehicle Parts
- Animal Carcasses
- Signs
- Trash



Safety Through Knowledge

Educational & Safety Video Library

We encourage you to visit our website at www.murrayguari.com to find videos on a variety of educational and safety topics including:

- Tire Tread Dangers
- What is No-Fault
- Making a PI Claim in No-Fault Accident
- What You Should Know About UM Insurance
- Choosing and Using Child Safety Seats
- And more...

The resource section of our website also provides informative brochures, a comprehensive list of helpful websites and a frequently asked questions (FAQ) section. ■

Murray Guari Video Library

Educational and Safety Videos

Welcome to the Murray Guari Trial Attorneys Video section of our website. Here you will find videos on a variety of educational and safety topics. Click on the links below to view the video files. If you have questions on the videos, please contact us.

About Murray & Guari Trial Attorneys



About the Firm

Meet Murray Guari Trial Attorneys.

[...Read More](#)

Florida No-Fault



Florida No Fault

What does it mean that Florida is a "No Fault" State?

"No Fault" DOES NOT MEAN that if someone is at fault for a motor vehicle accident, that the injured party cannot make a claim against them. That is just not true.

"No Fault" MEANS that if YOU are hurt in an auto accident and it is not your fault, and you need medical attention, then Florida law says you must first go through your own auto insurance company's Personal Injury Protection (PIP) benefits of \$10,000 - for the pay as you go Medical Expenses and for reimbursement of Lost Wages -

Your PIP Auto Coverage acts as the primary payor source - EVEN if you have Health Insurance. (Your Health Insurance will then act as a secondary payor source.)

Modes of Transportation Word Search



Circle-Word List

- | | | |
|-----------------|---------------|------------------|
| Air Bags | Break Assist | Mirrors |
| All Wheel Drive | Bumpers | Seat Belts |
| Antilock Brakes | Headlights | Lane Departure |
| Head Restraints | Tire Pressure | Back-up Cameras |
| Blind Spot | Telematics | Traction Control |

And The Answer is?

State with highest percentage of uninsured motorists in 2012?

- Alabama
- Florida
- Mississippi
- Oklahoma



*See page 5 for answer.