



**Murray Guarí**  
Trial Attorneys PL

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

**OVER \$175,000,000 RECOVERED FOR OUR CLIENTS!**

# Anger Behind the Wheel

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# Road Rage

## Alarming Statistics on Road Rage and Fatal Crashes in the US

According to the National Highway Traffic Safety Administration (NHTSA), aggressive driving behaviors, which can lead to road rage incidents, are a factor in over half of all fatal crashes in the United States. A survey conducted by the AAA Foundation for Traffic Safety found that almost 80% of drivers expressed significant anger, aggression, or road rage behind the wheel at least once in the past year. Another survey by the same organization found that 56% of fatal crashes involved at least one driver who was reported to have shown aggressive behavior or engaged in road rage. Also, according to a report from the advocacy group Everytown for Gun Safety, more than 550 people were shot in road rage incidents in the U.S. in 2022. That means someone was fatally shot or injured in a road rage incident every 16 hours, on average.

**These statistics highlight the importance of promoting safe driving habits and taking measures to prevent aggressive behavior on the road.**

### Possible Reasons for the Rise in Road Rage Incidents:

There is no definitive answer to why road rage incidents are on the rise, but possible reasons are:

- Increased congestion and traffic: As more people hit the roads, traffic congestion has become a significant problem in many cities. This can lead to increased frustration, impatience, and aggressive driving behaviors.
- Personal stress and frustration: Many drivers face various stresses in their daily lives, such as work pressure, family issues, financial problems, etc. These stressors can lead to heightened emotions and an increased likelihood of engaging in road rage incidents.
- Easy access to technology: Smartphones and other gadgets have become ubiquitous, and drivers may be distracted by them, leading to frustration and anger.
- Lack of consequences: Many drivers believe that they can get away with aggressive behavior on the road, and there are often no immediate consequences for such actions. This can lead to a sense of impunity and further embolden aggressive driving.

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# Knowledge is Power

## LEARNING LEGALESE!

### Fiduciary Duty

**“The relationship between an attorney and his or her client is a fiduciary relationship of the very highest character.”**

*Elkind v. Bennett*, 958 So. 2d 1088 (Fla. 4th DCA 2007)

**“There is no relationship between individuals which involves a greater degree of trust and confidence than that of an attorney and client.”**

*Gerlach v. Donnelly*, 98 So. 2d 493 (Fla. 1957)

**Fiduciary:** One who owes to another the duties of good faith, trust, confidence, and candor; One who must exercise a high standard of care in managing another’s money or property.

**Duty:** A legal obligation that is owed or due to another and that needs to be satisfied; an obligation for which somebody else has a corresponding right.

*Black’s Law Dictionary*



## HERE’S TO YOUR HEALTH

### Mindfulness Meditation

**Mindfulness meditation is a type of meditation that involves focusing one’s attention on the present moment without judgment.** The goal of mindfulness meditation is to increase awareness of one’s thoughts, emotions, and sensations, and to develop the ability to observe them without becoming attached or reactive to them. This can help to reduce stress and anxiety, increase concentration and focus, and promote overall well-being.

There are many different ways to practice mindfulness meditation, including guided meditations, body scan meditations, and mindful breathing exercises. It can be practiced individually or in a group setting and can be integrated into daily life in various ways, such as taking mindful walks, eating mindfully, or simply pausing to observe one’s thoughts and emotions throughout the day. ■

## Alarming Statistics on Road Rage and Fatal Crashes in the US

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### Preventing Road Rage: Promoting Responsible and Empathetic Driving

Drivers need to be educated and be reminded about the dangers of road rage and the importance of responsible driving habits.

**Drivers should try to remain calm and avoid provoking other drivers by using offensive gestures or honking excessively; this is especially true in Florida – a right to carry state.** Drivers should avoid aggressive driving behaviors such as tailgating, cutting off other drivers, or running red lights. Instead, they should maintain a safe following distance, use turn signals, and obey traffic laws. Drivers should plan their

routes and leave enough time to reach their destination to avoid the frustration and impatience that can lead to road rage incidents. Drivers should also practice empathy and consider the perspective of other drivers on the road. They should also be courteous and respectful to other drivers, including yielding to pedestrians and bicyclists.

We all can help prevent road rage incidents and promote safer driving habits. Remember, we all share the road, so it's important to treat others with respect and kindness while behind the wheel. ■

**GUEST  
COLUMNIST**

**Guy Quattlebaum – Complex Commercial Litigator**

# When To Consider Partition Actions in Real Estate

A Partition Action is a civil lawsuit to force the sale of Florida real estate. Florida law allows property to be owned jointly by several persons or entities. Often times, joint owners of a property cannot agree on the management or sale of a property or even one joint owner does not want to sell. So, a **Partition Lawsuit** is a request by one owner to the Court to force the sale of the property.

There are many reasons why Florida property owners may decide that a partition of property is needed. The three (3) most common reasons are when children inherit property and become joint owners, when an unmarried couple owns property jointly and then split up, or when a business partnership dissolves and cannot agree on the division of its assets.

A partition action can be filed by a joint owner of a property, except if the property is owned by a husband and wife as tenants by the entireties. The Defendants to the lawsuit are all of the other owners of the property. The lawsuit must be filed in the County in which the property is located.

Once a lawsuit for a partition is filed, the court must decide whether the property should be sold and how the proceeds of the sale should be divided among the owners. **Some owners may be entitled to receive a higher share of the sale proceeds for improvements or contributions that they made to the property and things such as mortgage payments or**



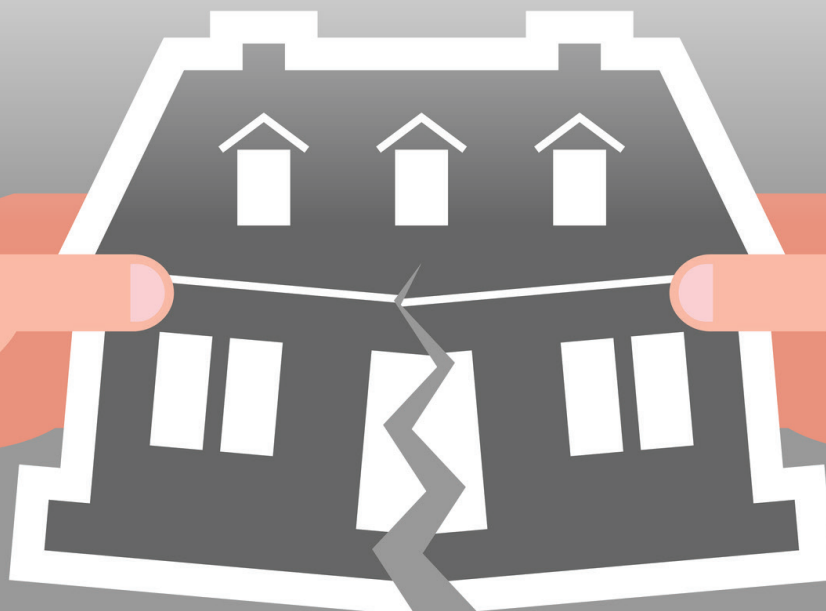
**Guy E. Quattlebaum**  
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**property taxes.** If there are mortgages or liens on the property, the mortgages and liens must be satisfied from the sale proceeds before the remainder is divided amongst the owners. Each owner is responsible for a share of the attorney fees and court costs, which are incurred for the action.

## Know Your Rights Before You Act

Real estate law involves state statutes and laws, which can often be complicated and intimidating. If you or someone you know is having trouble with division of property, often we can mediate and negotiate a settlement without having to file a lawsuit. Call us at 561-838-9595 or email to [guy@jnbpa.com](mailto:guy@jnbpa.com) for a free phone consult. ■

*Guy E. Quattlebaum is a complex commercial litigator with experience in banking, probate, guardianship, and real estate litigation.*





# Firm News



## Attorney Scott B. Perry To Serve on The Florida Bar Committee On Professionalism



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## Meet Team Member Carolina Valdez

Carolina joined our firm in February 2023. She is the receptionist and official greeter of Murray Guari Trial Attorneys. She is also fluent in Spanish. ■



## Partner Scott Perry Appointed to Florida Bar Committee on Professionalism

Partner Scott Perry was recently appointed to The Florida Bar's Standing Committee on Professionalism. The Standing Committee on Professionalism (SCOP) assists the Center for Professionalism in implementing programs, events, and activities to promote professionalism throughout Florida. ■

Super Lawyers

RISING STARS  
2023

## Partner Scott Perry Named Rising Star 2023

Partner Scott Perry was named a 2023 Rising Star in the area of Personal Injury by Florida Super Lawyer Magazine — an annual publication that recognizes Florida's top lawyers.

This is the eight-consecutive year, Scott has been recognized with this distinction. ■

## 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 on our focus – helping our clients when they need it most. **Here are a couple of recent reviews provided by our clients:**

*"I highly recommend attorney Scott Murray and his professional staff. After an auto injury, Scott's team made me feel confident that my case was being properly handled. They were on top of every single detail and diligently communicated all updates with me. Scott is an expert in his field. Meticulous, sharp and trustworthy, Scott set proper expectations and followed through. He is one of the best attorneys I know. First class service." ~SH*

*"You can have your full trust in Jason and Ryan. They will look after you with the most understanding and respect. They are true professionals that go above and beyond for their clients. It has been and ABSOLUTE PLEASURE having Jason and Ryan support me through this with the BEST possible outcome. Thank you Jason and Ryan!" ~ JM*

# 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.



AV® PREEMINENT™  
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Lawyer Ratings



## Super Lawyers

**Murray Guari –  
Hablamos Español**



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# Murray Guari Trial Attorneys PL

## Referrals are the Greatest Compliment. 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. **Our team is truly concerned about our clients' well-being and getting justice for them.** 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 or anyone you refer. ■



Keith Hedrick, Jason Guari, Scott Murray, and Scott Perry

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

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