

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT  
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

CRISTIAN MURRAY, EUGENIA  
ANDERSON, RANDALL AMES,  
SHABATY ISRAEL, SIMONE DIAMENT,  
SONIA PRZULJ, ANAIS BENEDETTI,  
SUSAN PIERRES, BORJA DE LA PLAZA,  
and GAIL EMPEY, in a derivative capacity  
as members of Nominal Defendant,

CASE NO. 2022-020799-CA-01

Plaintiffs,

v.

SOUTH FLORIDA CONDOMINIUM  
MANAGEMENT, INC., a Florida corporation,  
D&R CONTRACTING CORP., a Florida  
corporation AKAM ON-SITE, INC., a Florida  
corporation, AKAM LIVING SERVICES,  
INC. (d/b/a PROJECT MANAGEMENT  
GROUP FL and/or THE ASHTIN GROUP),  
a Florida corporation, and EPIC FORENSICS  
& ENGINEERING INC., a Florida corporation,

Defendants,

and

PALM BAY YACHT CLUB  
CONDOMINIUM ASSOCIATION  
INC., a Florida non-profit corporation,  
Nominal Defendant.

\_\_\_\_\_ /

VERDICT FORM

We the jury return the following verdict:

CLAIMS AGAINST D&R CONTRACTING CORP.

*Negligence*

1. Was D&R Contracting Corp. negligent?

YES ✓ NO \_\_\_\_\_

FILED FOR RECORD  
2023 DEC 11 AM 8:50  
CLERK OF COURT  
CIRCUIT COURT COUNTY OF MIAMI-DADE FL

2. Was D&R Contracting Corp. negligence a legal cause of loss, injury, or damage?

YES ✓ NO           

If you answered "YES" to 1 and 2, state the total damages proximately caused by D&R Contracting Corp.'s negligence (no duplication): \$ 180,000

***Fraudulent Misrepresentation***

1. ✓ Did D&R make one or more false statements of material fact to the Association, including about whether the work was "emergency" work, whether permits were required, licensure/qualification, whether unit-owner approval was required, or the nature/scope/necessity of the work?

YES ✓ NO           

2. Did Plaintiffs justifiably rely on D&R Contracting Corp.'s false statements?

YES ✓ NO           

3. Did Plaintiffs' reliance on D&R Contracting Corp.'s false statements cause damage?

YES ✓ NO           

If you answered "YES" to 1, 2, and 3, state the total damages caused by D&R Contracting Corp.'s fraudulent misrepresentation (no duplication): \$  \$370,000

If you answered "YES" to 1 and 2, state the total damages proximately caused by D&R Contracting Corp.'s breach (no duplication): \$           

Avoiding Double Recovery: If you find for Plaintiffs on more than one claim against D&R Contracting Corp. (negligence, fraud, contract) that compensates the same injury, award it once.

**CLAIMS AGAINST SOUTH FLORIDA CONDOMINIUM MANAGEMENT, INC. ("SFCM")**

Note: For certain SFCM claims, the Court has instructed you that liability has been established. For those claims, determine damages only. Where instructed, make threshold findings before damages. Do not duplicate damages across claims.

**Breach of Contract** State the total damages proximately caused by SFCM's breach of the Management Agreement (no duplication): \$ 725,000

**Negligence** State the total damages proximately caused by SFCM's negligence (no duplication): \$ 725,000

**Negligent Supervision / Negligent Retention** State the total damages proximately caused by SFCM's negligent supervision/retention (no duplication): \$ 725,000

**Breach of Fiduciary Duty**  
State the total damages proximately caused by SFCM's breach of fiduciary duty (no duplication) \$ 725,000

**Statutory Breach of Fiduciary Duty** (Fla. Stat. § 468.4334(1)(a)) State the total damages proximately caused by SFCM's breach of fiduciary duty (no duplication) \$ 725,000

**Breach of Statutory Duty** as to Licensure State the total damages proximately caused by SFCM's breach of fiduciary duty (no duplication) \$ 725,000

**Breach of Statutory Duty** as to Professional Standards State the total damages proximately caused by SFCM's breach of fiduciary duty (no duplication) \$ 725,000

**Fraudulent Misrepresentation** State the total damages proximately causes by SFCM's fraudulent misrepresentation (no duplication) \$ 725,000

Avoiding Double Recovery (SFCM): If you find for Plaintiffs on multiple SFCM theories that compensate the same injury, award it once.

Total Award:

\$ 5,300,000.00

APPORTIONMENT OF FAULT (NEGLIGENCE ONLY)

Complete this section only if you found negligence for at least one defendant. The total must equal 100%.

D&R Contracting Corp. (negligence):	<u>20</u> %
South Florida Condominium Management, Inc. (negligence):	<u>60</u> %
Palm Bay Yacht Club Condominium Association (comparative negligence, if any):	<u>20</u> %
TOTAL:	100%

SIGNATURE

SO SAY WE ALL, this 10 day of December 2025.

FOREPERSON (print name): Vanessa de Lash SEP  
FOREPERSON (signature): *Vanessa de Lash*

Clerk's Use (not read to jury)

Verdict received in open Court on \_\_\_\_\_, 2025

Jury Polled ☐ Yes / ☐ No.

Please sign and date this verdict form, and return it to the courtroom.

SO SAY WE ALL THIS \_\_\_\_ day of \_\_\_\_\_, December 2025.

FOREPERSON'S SIGNATURE

FOREPERSON'S PRINTED NAME