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September 26, 2011

**** THIS CORRESPONDENCE IS SENT PURSUANT TO FLA. STAT. 768.28(6)(a)****

CERTIFIED RETURN/RECEIPT REQUESTED

Judith Levine, General Counsel
Broward Sheriffs Office
Office of General Counsel
2601 W. Broward Blvd.
Ft. Lauderdale, FL 33312

Hon. Sheriff Al Lamberti
Broward Sheriffs Office
2601 W. Broward Blvd.
Ft. Lauderdale, FL 33312

Hon. Sue Gunzburger
Office of the Mayor of Broward County
Broward Governmental Center
115 S. Andrews Ave, Room 421
Fort Lauderdale, FL 33301

Florida Department of Financial Services
Division of Risk Management
200 East Gaines Street
Tallahassee, FL 32399-0336

RE:

Our Client/Claimant: xxxxxxxxxxxx xxxxxxxxxxxx
Address : xxxxxxxxxxxx
Date of Birth: xxxxxxxxxxxx
Soc. Sec. Number : xxxxxxxxxxxx
Place of Birth: xxxxxxxxxxxx
Date of Incident : xxxxxxxxxxxx

Type of Claim : False Arrest, Deprivation of Civil Rights, Claim Under 42 U.S.C. 1983, Conversion, Civil Theft, Trespass, Assault, Battery, False Imprisonment, Intentional & Negligent Infliction of Emotional Distress, Negligent Hiring, Negligence, Abuse of Process, Punitive Damages, Civil Theft Treble Damages, Attorney's Fees, and all other claims allowable arising out of the incident.

Incident Location : xxxxxxxxxxxx

Adjudicated Penalties : None. (No Fines, Fees, Victim Restitution Fund and other judgments in excess of \$200.00 owed by the claimants to the State, its agency, officers or sub-divisions)

To whom it may concern:

Please be advised that the undersigned represents the above claimant for injuries sustained by her on the above date and at the above listed location.

This letter is dispatched as notice pursuant to the requirements of Florida Statute 768.28(6)(a). We feel **Broward County, Broward County Sheriff's Office, Deputy xxxxxxxxxxxx, and approximately four (4) to eight (8) additional currently unknown/unnamed deputies** have tort responsibility in the above-captioned incident.

The undisputed facts are that on October 25, 2009, Deputy xxxxxxxxxxxx claiming to be on a service call arrived unannounced at the Claimant's residence with a civilian xxxxxxxxxxxx. Ms. xxxxxxxxxxxx, an attractive 31 year old female, claimed that she lived at the claimant's residence more that 5 months prior and believed that some of her possessions remained at the residence. The claimant had leased the residence from the owner approximately 4 months prior, and the residence was vacant at that time.

The claimant and Ms. xxxxxxxxxxxx are unrelated, and unknown to each other prior to the incident date. On the date of incident, Deputy xxxxxxxxxxxx rang the doorbell and demanded that Ms. xxxxxxxxxxxx be allowed entry to recover her alleged possessions at the Claimant's residence. Ms. xxxxxxxxxxxx did not provide Deputy xxxxxxxxxxxx any identification, a court order, or other indicia that she had a lawful right to enter the claimant's residence or recover any property therefrom. The claimant denied Deputy xxxxxxxxxxxx request to allow Ms. xxxxxxxxxxxx to enter her residence. Deputy xxxxxxxxxxxx, not taking no for answer, forcibly removed claimant from her own home and arrested her, alleging that she committed battery on a law enforcement officer when she attempted to close the front door to her residence to retreat into her home. The claimant was then forcibly arrested and subsequently jailed. After the claimants arrest, Deputy xxxxxxxxxxxx summoned between 4 and 8 additional back-up officers (current identities unknown) who arrived on scene to permit Ms. xxxxxxxxxxxx to enter the claimant's residence and remove property belonging to the claimant, without asking any questions. At no time did Ms. xxxxxxxxxxxx produce or posses any indicia that she was rightfully entitled to enter claimant's home, nor did any deputy maintain any legal right to enter the claimant's residence.

As a result of the foregoing, we are hereby making a claim against Broward County Sheriff's Office and Broward County for payment of all damages sustained by our client, including punitive damages, triple damages for civil theft, and attorney's fees. If Broward County Sheriffs Office and/or Broward County do not have tort responsibility in the above-captioned incident, please advise the undersigned immediately in the form of a written denial. Otherwise, we shall expect Broward County Sheriffs Office and Broward County to promptly begin good faith negotiations for the fair settlement of this claim. The claimant through the undersigned attorney maintains a copy of Deputy xxxxxxxxxxxx deposition transcript from the criminal proceedings, and the audio transcript of the criminal trial, which support Claimant's allegations. Further, such materials can be made available upon request to assist you in evaluating this claim.

If we have failed to comply with Florida Statute 768.28(6)(a) in any manner

whatsoever, please advise accordingly by return mail specifying how we have failed. Also, if you feel that Broward County Sheriffs Office or Broward County does not have tort responsibility, please identify by name and correct mailing address of the State agency or subdivision, which does have tort responsibility for this claim.

Thank you for your cooperation.

Very truly yours,

A handwritten signature in black ink, appearing to read "Andrew S. Douglas", with a stylized flourish at the end.

ANDREW S. DOUGLAS, ESQ.