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Main Office: 55 Merrick Way, Suite 404 | Coral Gables, FL 33134

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March 2, 2022

Via Electronic Mail:
robbie.arnold@ctplc.com
robbie.arnold@charlestaylor.com

Robbie Arnold
Charles Taylor Adjusting
11475 Great Oaks Way
Alpharetta, GA 30022

Re: *Hurricane Irma Property Insurance Claim*

Insured(s): Oceania III Condominium Association
Loss Location: 16485 Collins Avenue, Sunny Isles Beach, FL 33160
Date of Loss: 09/10/2017
Insurance Co.: Everest Indemnity Insurance Company, Westchester
Surplus Lines Insurance Company, Arch Specialty
Insurance Company, Homeland Insurance Company
Policy Numbers: CA3P005825171 (Everest) D38073229-001 (Westchester),
ESP 7303758-00 (Arch), OAB298435 (Homeland)
Claim No.: 6-5149 (Everest), KY20K2717836 (Westchester),
000013536340 (Arch), 0AB298435 (Homeland)
Our File No.: 1606.001

Dear Mr. Arnold:

Enclosed please find the Sworn Proof of Loss for the above-referenced claim. Please advise whether you will require an additional documentation to make a determination on this claim.

Thank you for your attention to the foregoing. Should you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,

THE MORGAN LAW GROUP

/s/William P. McCaughan, Jr., Esq.

Enclosure

SWORN STATEMENT IN PROOF OF LOSS

PURSUANT TO S. 817. 234, FLORIDA STATUTES, ANY PERSON WHO, WITH THE INTENT TO INJURE, DEFRAUD, OR DECEIVE ANY INSURER OR INSURED, PREPARES, PRESENTS, OR CAUSES TO BE PRESENTED A PROOF OF LOSS OR ESTIMATE OF COST OR REPAIR OF DAMAGED PROPERTY IN SUPPORT OF A CLAIM UNDER AN INSURANCE POLICY KNOWING THAT THE PROOF OF LOSS OR ESTIMATE OF CLAIM OR REPAIRS CONTAINS ANY FALSE, INCOMPLETE OR MISLEADING INFORMATION CONCERNING ANY FACT OR THING MATERIAL TO THE CLAIM COMMITS A FELONY OF THE THIRD DEGREE, PUNISHABLE AS PROVIDED IN S. 775.082, S.775.803, OR S.775.084, FLORIDA STATUTES.

Please provide the following information regarding your insurance policy:

Everest Indemnity Insurance Company, Westchester Surplus Lines Insurance Company, Arch Specialty Insurance Company, Homeland Insurance Company

Oceania III Condominium Association Inc.

NAME OF INSURANCE COMPANY

NAMED INSURED(S)

CA3P005825171 (Everest) D38073229-001 (Westchester), ESP 7303758-00 (Arch), OAB298435 (Homeland)
POLICY NUMBER

\$41,979,696
AMOUNT OF POLICY LIMITS AT TIME OF LOSS

4/19/17 4/19/18
DATE ISSUED DATE EXPIRES

Dawn M. Belin
INSURANCE AGENT

Please provide the following information regarding your loss:

- 1. Claim Number: 6-5149 (Everest), KY20K2717836 (Westchester), 000013536340 (Arch), 0AB298435 (Homeland)
- 2. Date of Loss: 9/10/17 – Hurricane Irma
- 3. Time of Loss: Hurricane Irma [a.m./ p.m.]
- 4. Property Address: 16485 Collins Avenue, Sunny Isles Beach, FL 33160
- 5. Cause of Loss: Describe the cause and origin of the loss: Hurricane Irma CAT1744

Please provide the following information regarding the above described property:

- 6. Title and Interest: [My/Our] Interest in the property involved at the time of loss was as follows: Full Ownership
 - 7. Occupancy: The premises described above was occupied at the time of the loss as follows: residential condominium units located at 16485 Collins Avenue, Sunny Isles, Florida 33160
 - 8. Names of Mortgages/Lienholders: _____
- Other than the insureds and any and all loss payees indicated in the policy of insurance, there are no other persons who have an interest or lien in the property involved, except for above named mortgage or lienholders, except: _____
- 9. Please list other policies of insurance which may cover the loss: _____

Please provide the total amount of damages claimed for your loss:

Building:	\$15,048,881.84 _____
Contents	\$0.00 _____
The Whole Loss Total:	\$15,048,881.84 _____
Deductible:	\$1,259,390.88 _____
Whole Amount Claimed Minus Deductible	\$13,789,490.96 _____

The loss did not originate by any act, design, or procurement on your part; no property has been concealed, and no attempt to deceive the said company as to the extent of the loss has been made. The undersigned certify that the statements and information contained herein with respect to the loss reported are accurate and truthful to the best of [his/her/their] knowledge and belief.

Subrogation – To the extent of the payment(s) made or advanced under this policy, the Insured hereby assigns, transfers, and sets over to American Coastal Insurance Company, its representatives, affiliates, and/or subsidiaries, all rights, claims, and/or interest that the Insured has against any person, firm, corporation, and/or entity that may be liable for the loss or damage to the property for which payment is made or advanced.

The Insured hereby warrants that no release, settlement, compromise, or agreement has been given and/or reached with any third party who may be liable for damages to the Insured with regard to the claim being made herein. The furnishing of this blank form, or the preparation of proofs by a representative of American Coastal Insurance Company, affiliates, and/or subsidiaries is not a waiver of any rights.

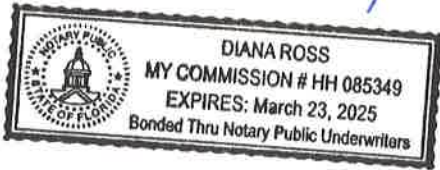
Leona
Signature of Insured
Print Name: LEONA HIRSCHKORN

Signature of Insured
Print Name: _____

State of FLORIDA County of MIAMI-DADE
Sworn to and subscribed to before me on this 18 day of FEBRUARY, 20 .

Notary Public, State of Florida *Diana Ross*

Personally known, or Produced: _____



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June 1, 2022

Via Electronic Mail:
rhorwitz@conroysimberg.com

Robert S. Horwitz, Esq.
Conroy Simberg
1801 Centrepark Drive East, Suite 200
West Palm Beach, Florida 33401

Re: *Hurricane Irma Property Insurance Claim*

Insured(s): Oceania III Condominium Association
Loss Location: 16485 Collins Avenue, Sunny Isles Beach, FL 33160
Date of Loss: 09/10/2017
Insurance Co.: Everest Indemnity Insurance Company, Westchester
Surplus Lines Insurance Company, Arch Specialty
Insurance Company, Homeland Insurance Company
Policy Numbers: CA3P005825171 (Everest) D38073229-001 (Westchester),
ESP 7303758-00 (Arch), OAB298435 (Homeland)
Claim No.: 6-5149 (Everest), KY20K2717836 (Westchester),
000013536340 (Arch), 0AB298435 (Homeland)
Our File No.: 1606.001

Dear Mr. Horwitz:

In response to your correspondence dated April 19, 2022, enclosed please find estimates and expert reports bates stamped Oceania 006963-008323 in the above-referenced matter.

Should you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,

THE MORGAN LAW GROUP

/s/William P. McCaughan, Jr., Esq.

Enclosures



ROBERT S. HORWITZ | PARTNER

1801 CENTREPARK DRIVE EAST, SUITE 200

WEST PALM BEACH, FL 33401

DIRECT (561) 478-6047

MAIN (561) 697-8088

FAX (561) 697-8664

rhowitz@conroysimberg.com

July 29, 2022

Oceania III Condominium Association, Inc.
c/o William P. McCaughan, Esq.
The Morgan Law Group
55 Merrick Way
Suite 404
Coral Gables, FL 33134

Re: OCEANIA III CONDOMINIUM ASSOCIATION, INC. V. EVEREST INSURANCE
Claim No.: 6-5149
Insured: Oceania III Condominium Association, Inc.
Date of Incident: September 10, 2017 (Hurricane Irma)
Our File No.: 2043648

Dear Sir/Madame:

As you are aware, we have been retained by the Market (the "Company") to assist in its investigation of the above-referenced claim involving the property located at 16485 Collins Avenue, Sunny Isles Beach, FL 33160 (the "Building"). Oceania III Condominium Association Inc. ("Oceania") late reported Hurricane Irma damages that allegedly occurred on September 10, 2017. We have been instructed to schedule the Association's Examination Under Oath as provided by the above-referenced policy and have coordinated Examination of Oceania's Corporate Representative to occur via zoom for **August 10, 2022** beginning at **9:00 am.** We will provide the Zoom link under separate cover.

It is requested the Association produce a representative as the Person With the Most Knowledge and be able to testify regarding the following areas of concern:

- (a) The preparation of the Building for Hurricane Irma;
- (b) The damage sustained at the Building due to Hurricane Irma;
- (c) All repairs performed to the Building as a result of Hurricane Irma;
- (d) All Communications with the Market in reporting of the claim.

William P. McCaughan, Esq.
OCEANIA III CONDOMINIUM ASSOCIATION, INC. V. EVEREST INSURANCE
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- (e) Retention and findings of any experts, professionals or contractors who have inspected, made repairs, provided reports or estimates related to Hurricane Irma.
- (f) All upgrades, remodeling projects or alterations to the Building other than for damage alleged due to Hurricane Irma from August 1, 2014 to the present.
- (g) All insurance claims related to the Building since 2014

In follow-up to our previous records request, we demand that by August 8, 2022 and in advance of the EUO, you send to our office the following information:

1. All photographs and/or videotapes, in printed or electronic versions, taken before and after your losses occurring on or about September 10, 2017 ("the loss"), showing the area(s) where the loss occurred at the Building, including damages to the Building and any other property. Electronic versions should be provided in its original format.
2. A complete unedited copy of the video surveillance footage of all common areas for the 2 days prior to and after the dates of loss.
3. Any and all proposals, invoices, contracts, reports, payments and any other documents from repairman, contractors, handymen, or engineers, relating to the repair of the Building for currently claimed damages from the loss.
4. Name, address, phone number and job title of all employees of the Oceania III Condominium and/or its property manager/management company that provided services at Oceania from September 2014 to September 2020.
5. A list of all persons who have knowledge regarding the loss. Included within this request is such persons last known contact information including mailing address, telephone number, cell phone number and e-mail address.
6. A list of all employees who were present and working on the date of the Loss.
7. The Association's entire file related to maintenance and repairs to the Association's roofs including but not limited to: name, address, phone number and job title of all employees of the Oceania III Condominium and/or its property manager/management company that provided services at Oceania from September 2014 to September 2020; and the Association's meeting minutes related to the repairs.
8. The Association's entire file related to maintenance and repairs of the exterior of the Association's Building.

William P. McCaughan, Esq.
OCEANIA III CONDOMINIUM ASSOCIATION, INC. V. EVEREST INSURANCE
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9. A full copy of Phoenix Claims Consulting's file for the Loss, including correspondences.
10. A list of the names and positions of every Board Member from September 2014 through current.
11. A copy of any and all Minutes from Board Meetings from September 2014 through current.
12. The name and telephone number of the current Maintenance Supervisor and the Maintenance Supervisor at the time of loss..
13. All e-mails to and from any board members related to the loss.
14. The entire Association file with respect to the Loss.
15. Any and all proposals, invoices, contracts, reports, payments and any other documents from repairman, contractors, handymen, or engineers, relating to the repair of the Building for damages from any prior insurance claims.
16. A full copy of your file related to all upgrades, remodeling projects or any other alterations that exceed \$2000 to any portion of the Building from 2015 to present.
17. All documents that have been requested in prior demands.

We remind you that your Policy has the following conditions:

XI. POLICY CONDITIONS

...

Q. Requirements In the Event of Insured Loss

In the event of a direct damage loss which you believe is insured herein, you have the duty to:

1. Give us prompt notification of any loss or damage, stating the particulars of the loss event;
2. Promptly contact the applicable authority having jurisdiction in the event a law has been broken, and promptly file a written report with such authority;
3. Take reasonable steps to protect the property from further loss or damage;
4. Take reasonable steps to separate the damaged and undamaged property;
5. Maintain your property in the best possible order;
6. Furnish us with a complete inventory of the lost, destroyed, and damaged property, including detail on the quantities, costs, replacement costs, actual cash values, and amount of loss which you are claiming;

William P. McCaughan, Esq.
OCEANIA III CONDOMINIUM ASSOCIATION, INC. V. EVEREST INSURANCE
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7. Furnish to us any other documents or insurance policy which we may reasonably require;
8. Allow us, or our representatives, access to inspect any of the damaged or undamaged property;
9. Submit to examination under oath at such times as may be reasonably required with regard to the details, particulars and matters of the claim made under this insurance

(ECP 00 557 05 16, Page 44 of 51)

We also remind you we have requested all documents and information be delivered to our office by August 8, 2022. If you should need additional time to gather the requested documents, please reach out to the undersigned to discuss same.

Please be advised that any actions taken by the Market or any of its Representatives concerning the investigation of this insurance is not to be construed as any waiver of any Policy terms, conditions or exclusions. The Market expressly reserves all rights and defenses it may have under the subject Policy and applicable law for the claim that has been presented.

Very truly yours,
/s/
Robert S. Horwitz

RSH/art
Enclosure
cc: The Market

The Morgan Law Group, P.A.

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August 19, 2022

Via Electronic Mail

Robert S. Horwitz, Esq.
Conroy Simberg
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West Palm Beach, Florida 33401
rhorwitz@conroysimberg.com

Christopher Ramey, Esq.
Butler Weihmuller Katz Craig LLP
400 N. Ashley Drive, Suite 2300
Tampa, Florida 33602
cramey@butler.legal

Robbie Arnold
Charles Taylor Adjusting
11475 Great Oaks Way
Alpharetta, GA, 30022
Robbie.arnold@ctplc.com
Robbie.arnold@charlestaylor.com

Re: *Hurricane Irma Property Insurance Claim*

Insured(s):	Oceania III Condominium Association
Loss Location:	16485 Collins Avenue, Sunny Isles Beach, FL 33160
Date of Loss:	09/10/2017
Insurance Co.:	Everest Indemnity Insurance Company, Westchester Surplus Lines Insurance Company, Arch Specialty Insurance Company, Homeland Insurance Company
Policy Numbers:	CA3P005825171 (Everest) D38073229-001 (Westchester), ESP 7303758-00 (Arch), OAB298435 (Homeland)
Claim No.:	6-5149 (Everest), KY20K2717836 (Westchester), 000013536340 (Arch), 0AB298435 (Homeland)
Our File No.:	1606.001

Dear Mr. Horwitz, Mr. Ramey and Mr. Arnold:

As you know, we represent Oceania III Condominium Association, Inc. (the "Association") in the above referenced claim. On September 1, 2020, the Association provided notice of the claim to the multiple insurance companies listed above (the "Insurers"). In response to the Insurers demands under the terms of the insurance policies, the Association provided the Insurers with documents, a sworn proof of loss, the ability to inspect the Association's property, and the appearance of a representative of the Association at an examination under oath lasting an entire day.

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We are also enclosing the Association's meeting minutes, bates labeled Oceania III 8/19/2022 000001–Oceania III 8/19/2022 000048, in response to your request following the conclusion of the examination under oath and assertion that these meeting minutes had not previously been produced.

At this time, we request that the Insurers issue a claim determination on or before August 24, 2022. Should you have any questions, please do not hesitate to contact the undersigned.

Very truly yours,

THE MORGAN LAW GROUP

/s/William Power M^cCaughan, Jr.
William Power M^cCaughan Jr., Esq.

Enclosures



ALEXIS D. LEZAMA | ASSOCIATE

1801 CENTREPARK DRIVE EAST, SUITE 200

WEST PALM BEACH, FL 33401

DIRECT (561) 478-6081

MAIN (561) 697-8088

FAX (561) 697-8664

alezama@conroysimberg.com

September 13, 2022

VIA E-MAIL ONLY:

Oceania III Condominium Association

c/o William P. McCaughan, Esq.

wmccaughan@morganlawgroup.net

Morgan Law Group

55 Merrick Way

Suite 402

Coral Gables, Florida 33134

Re: Insured: Oceania III Condominium Association
 Market Participants: Everest Indemnity Insurance Company,
 Westchester Surplus Lines Insurance Company
 Claim Numbers: 6-5149 (Everest); KY20K2717836 (Westchester)
 Policy Numbers: CA3P005825171 (Everest);
 D38073229-001 (Westchester)
 Date of Loss: September 10, 2017 (Hurricane Irma)
 Our File Number: 0205-2009036

Dear Mr. McCaughan:

Please allow this correspondence to follow up regarding our last letter dated August 24, 2022. We did not receive a response, so we continue to seek the association's compliance. Please immediately let us know whether the association is producing additional responsive documentation and/or whether it will agree to produce a corporate representative that is both prepared and knowledgeable at a reconvened Examination Under Oath. See, e.g., Biscayne Cove Condominium Ass'n v. QBE Ins. Corp., 971 F.Supp.2d 1121, 1143 (S.D. Fla. 8/30/13).

Also, as discussed at the Examination Under Oath of Mr. Villar, please advise if the association is adding additional scope items to its claim. If so, we continue to request that the association provide an updated, signed, sworn proof of loss relative to the amount it is claiming. Please use the prior version of the blank proof of loss and also provide all necessary support for the newly claimed items.

Justin W. Sblano Esq.
OCEANIA III CONDOMINIUM ASSOCIATION, INC. V. EVEREST INSURANCE
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Separately, as you are aware, the Company was not able to complete its inspection at the property as both certain units and roofs were unavailable. Please coordinate new dates for the investigation with our adjuster as was done to coordinate the last inspection. Please also confirm in writing your agreement to the continued inspection.

The Market has undertaken an investigation to determine the facts surrounding this loss and claim. Please note that the Market's investigation is being conducted without waiver of its prior denial and under a full reservation of rights including the rights the Market may have outside the policy. Nothing in this letter should be construed as a waiver or estoppel of any of the Market's rights under the terms of the insurance contract and all applicable law. In fact, the Market expressly reserves all such rights.

Very truly yours,

/s/ Robert S. Horwitz, Esq.
/s/ Alexis D. Lezama, Esq.

Robert S. Horwitz, Esquire
Alexis D. Lezama, Esquire

ADL/my
LTR001.EMT