

Representative list of Appellate Achievements for Charles W. Hall

Insurance

- Represented Allstate Insurance Company and eliminated use of contingency risk multiplier in cases where fee award was based upon offer judgment. Sarkis v. Allstate Ins. Co., 28 Fla. L Weekly S740 (Fla. Oct. 2, 2003).
- Represented State Farm Mutual Automobile Insurance Company defeating claim that its “business pursuits” and “business operations” exclusions were ambiguous and unenforceable. Santos v. State Farm Mut. Auto. Ins. Co., 707 So. 2d 1181 (Fla. 2d DCA 1998).
- Represented commercial insurer defeating surgeon’s claim that spoliation of evidence claim brought against him by patient was covered occurrence not excluded by professional services exclusion. Plastic Surgery Center, P.A. v. State Auto. Mut. Ins. Co., 783 So. 2d 261 (Fla. 2d DCA 2000).
- Represented insurer in defeating claim for property damage caused by pesticide overspraying because damage fell within policy’s “contamination” exclusion. Maxwell v. State Farm Fire & Cas. Co., 717 So. 2d 1014 (Fla. 2d DCA 1998).

Employer Liability

- Represented convenience store industry defeating series of claims by sales clerks who argued that employers should have protected them from attacks by armed robbers. Ream v. The Southland Corp., 696 So. 2d 361 (Fla. 2d DCA 1997); Estate of Reid v. Swats, 686 So. 2d 19 (Fla. 2d DCA 1996); Cartwright v. The Southland Corporation, 682 So. 2d 580 (Fla. 3d DCA 1996).

Professional Liability

- Represented therapist, who had been sanctioned by the Department of Professional Regulation, in defeating patient’s civil claim. The Florida Supreme Court rejected United States Supreme Court’s reasoning regarding collateral estoppel. Stogniew v. McQueen, 656 So. 2d 917 (Fla. 1995).
- Represented lawyer and his firm defeating claim that he was liable to a non-client homeowners association by virtue of documents he created at the request of project’s developer. Hunt Ridge at Tall Pines, Inc. v. Hall, 766 So. 2d 399 (Fla. 2d DCA 2000).

Medical Liability

- Represented physician defeating patient’s claim by use of newly enacted procedural requirement which lower courts deemed inapplicable. Florida Supreme court applied requirement to existing claim. Pearlstein v. King, 610 So. 2d 445 (Fla. 1992).

Rental Car Liability

- Represented rental car company in shifting primary insurance responsibility to customer’s insurer despite customer’s failure to fully complete rental agreement. Glover v. Scamp Auto Rental I, Inc., 682 So. 2d 562 (Fla. 2d DCA 1996).

Landlord Liability

- Represented landlord in defeating serious injury claim brought by tenant's son who lost eye when shot by playmate's blowgun. Calta v. Schleman, 833 So. 2d 1120 (Fla. 2d DCA 2002).

Restaurant Liability

- Represented restaurant in defeating serious injury claim brought by customer infected by vibro vulnificus after eating raw oysters. Gary v. Bar Management Corp., 600 So. 2d 1112 (Fla. 2d DCA 1992).

Government Liability

- Represented physical education teacher in defeating claim brought by school secretary injured by a football. Castellano v. Raynor, 725 So. 2d 1197 (Fla. 2d DCA 1999).
- Represented School Board in sustaining verdict which awarded the parents of a student killed exiting a school bus only nominal damages. Luteran v. Pinellas County School Bd., 725 So. 2d 1121 (Fla. 2d DCA 1998).