

Florida woman awarded \$48M after becoming ill from mold in her condo

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A jury awarded a South Florida woman \$48 million in a civil lawsuit after becoming ill from mold in her condominium.
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A South Florida woman was awarded \$48 million after a leaky roof led to mold contamination in her apartment, leaving her with a permanent, debilitating illness, according to court records.

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Lynette Jividen, 56, of Plantation, was awarded the money after a Broward County jury met virtually to deliver the verdict, the Sun-Sentinel reported.

The damage award included \$10 million for expected future medical costs, more than \$1.2 million for past and future lost earnings, and \$35 million for loss of capacity to enjoy life, the newspaper reported.

Jividen's attorneys filed the lawsuit on May 11, 2018, according to Broward County online court records. According to the complaint, Jividen developed "a host of symptoms" after moving into the Mar Lago Village condominium building in early 2016. Jividen moved out of the building several months after Hurricane Irma struck Florida as a Category 4 storm in September 2017, the Sun-Sentinel reported.

Jividen was diagnosed with chronic inflammatory response syndrome, an ailment that affects the nervous system, digestive system, muscles, joints and the immune system, her attorney, Robert McKee, told the newspaper.

Her condition is permanent, progressive, and in her lawyers' words, "horribly disabling."

"Before this, she was a vibrant, wonderfully happy person," co-counsel David Brill said.

Jividen, a divorced mother with two grandchildren, lived alone in the condominium. She declined to comment through McKee, who told the Sun-Sentinel that the case is not over.

To collect the jury's award, McKee and Brill still must go after the insurance companies that were supposed to represent Florida Contractors Inc., the company that, according to the lawsuit, tried and failed to repair the roof damage that caused the leak, the newspaper reported.

According to the lawsuit, Jividen renewed her lease at the condominium in late 2016. She complained to management about leaks and "water intrusion," but it was not fixed, the suit alleged.

In June 2017, Jividen tested for mold on her own, according to court records. She sent the results to the building owner and management company, the Sun-Sentinel reported.

Florida Contractors made more than one attempt to fix the roof, but the leaking continued, according to the lawsuit. After the leaking got worse, and after Irma hit the state, Jividen did not renew her lease and moved out, the newspaper reported.

Jividen sued the building owner, ML CASA V, and its management company, ZRS Management. Those companies settled for an undisclosed amount, according to court records. Florida Contractors did not.

However, the company decided not to fight the lawsuit and defaulted, the Sun-Sentinel reported. That left the decision up to the jury to decide the amount of compensation, and up to the insurance providers to pay it, the newspaper reported.

An attorney for Florida Contractors did not respond to a voicemail and text messages requesting comment, according to the Sun-Sentinel. Messages left with the insurance companies were not returned.

McKee said he expects to file suit against the insurance companies within weeks, the newspaper reported.



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