

# DANAHY &

INSURANCE CLAIM LAWYERS

MATTHEW R. DANAHY \*+

ERIN E. DUNNAVANT

\* BOARD CERTIFIED CIVIL TRIAL LAWYER

+CERTIFIED MEDIATOR

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[WWW.DANDDLAW.COM](http://WWW.DANDDLAW.COM)

CHAD YOUNG

October 23, 2023

VIA UPS and Electronic Mail

[agentlicensin](http://agentlicensin)

[FloridaCFO.com](http://FloridaCFO.com)

;

;

Florida Department of Financial Services, Legal Department  
And Chief Financial Officer, Jimmy Patronis  
Attn: Office of Insurance Regulation

Agency Auditor, Department, General Counsel

200 E. Gaines Street  
Tallahassee, Florida 32399

Re *Universal Property & Casualty Ins. Co. of Florida - Request for Revocation of Certificate of Authority per F.S.627.427 and 624.418.*

Thomas Cannon v. Universal Property and Casualty Ins. Co. of Florida

were entered on August 4, 2023, and required Universal to make payments to Mr. Cannon. Universal has neither appealed these judgments nor issued the required

payments. Universal's failure to comply with Florida Statutes 627.407 and 627.410

constitutes a breach of the policy and Universal is in violation of the policy terms.

Universal's failure to pay the judgments is a breach of the policy and Universal is in violation of the policy terms.

Universal's failure to pay the judgments is a breach of the policy and Universal is in violation of the policy terms.

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Universal's failure to pay the judgments is a breach of the policy and Universal is in violation of the policy terms.

Attached Please find the following materials for your consideration which support the request to Revoke the Certificate of Authority of Universal Property and Casualty Insurance Company:

- 1) Certified copies of the (2) money judgments at issue dated August 4, 2023, from the Clerk of the Court of Miami - Dade County, Fl.
- 2) A certified copy of the Case Summary (the Docket) from the Clerk of the Court of Miami

Universal's failure to pay the judgments is a breach of the policy and Universal is in violation of the policy terms.

Universal's failure to pay the judgments is a breach of the policy and Universal is in violation of the policy terms.



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

THOMAS J. CANNON,

Plaintiff,

Case No. 2022-005696-CA-01

vs.

UNIVERSAL PROPERTY & CASUALTY  
INSURANCE COMPANY

Defendant.

AFFIDAVIT OF CHAD L. YOUNG

deposes upon personal knowledge and states:

1. I am over the age of eighteen (18) years, and I have personal knowledge of the facts stated below.

2. I am an attorney licensed in Florida and in good standing. I work at the law firm of Danahy & Dunnavant, P.A., which represents Plaintiff, THOMAS J. CANNON, in the above referenced matter. My Florida Bar number is 1018819.

[REDACTED]

5. Pursuant to section 627.427, Florida Statutes, “[e]very judgment or decree for the recovery of money entered in any of the courts of this state against any authorized insurer shall be fully satisfied within 60 days from and after the entry thereof...”

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

CIVIL COURTS DIVISION

CLERK'S CERTIFICATE

CASE NUMBER

2022-5696-CA-01

CLOCK IN

PLAINTIFF

VS

DEFENDANT

Thomas J Cannon

V

Universal Property & Casualty

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

[REDACTED]

*CL 71*

*10/4/2023*

# CASE SUMMARY

## CASE NO. 2022-005696-CA-01

Thomas J Cannon  
vs  
Universal Property & Casualty Insurance Company

§  
§  
§  
§  
§

Location: **Circuit Civil**  
Judicial Officer: **Section, CA 30**  
Magistrate: **@CVGM03, CVGM03**  
Filed on: **03/28/2022**  
State Case Number: **132022CA005696000001**

### CASE INFORMATION

Case Title: **Insurance Claim**

Case Flags: **Jury Trial**

### DATE

### CASE ASSIGNMENT

#### Current Case Assignment

Case Number	2022-005696-CA-01
Court	Circuit Civil
Date Assigned	03/28/2022
Judicial Officer	Section, CA 30
Magistrate	@CVGM03, CVGM03

### PARTY INFORMATION

#### Plaintiff

**Cannon, Thomas J**

#### Lead Attorneys

**Matthew R Danahy**  
*Retained*  
813-258-3600(W)

#### Defendant






**Universal Property & Casualty Insurance Company**

**Gainey, Kariss Nicole**  
*Retained*  
305-874-7337(W)


### DATE

### EVENTS & ORDERS OF THE COURT

### INDEX


03/27/2024	<b>Calendar Call</b> (1:30 PM) (Judicial Officer: Section, CA 30)	
11/28/2023	<b>Special Sets</b> (1:30 PM) (Judicial Officer: Section, CA 30) <i>Plaintiff's Motion to Determine Amount of Sanctions to be Entered Against Defendant and Incorporated Memorandum of Law</i>	
11/28/2023	<b>CANCELED Special Sets</b> (1:30 PM) (Judicial Officer: Section, CA 30) <i>Cancelled via courtMAP</i>	
09/25/2023	 <b>Notice of Hrg Special Appt</b>	<i>Index # 157</i>
09/25/2023	 <b>Mediators Report</b>	<i>Index # 158</i>
09/15/2023	 <b>Notice of Filing:</b> <i>G ITS AMENDED ANSWERS TO PLAINTIFFS FIRST SET OF INTERROGATORIES</i>	<i>Index # 156</i>
09/13/2023	 <b>Defendants Certificate of Settlement Authority</b>	<i>Index # 155</i>
09/07/2023	 <b>Response:</b> <i>TO DEFENDANT'S NOTICE OF TAKING THOMAS CANNON</i>	<i>Index # 154</i>

CIRCUIT CIVIL  
**CASE SUMMARY**  
CASE No. 2022-005696-CA-01

 Plaintiff's Certificate of Settlement Authority

*Index # 153*

09/05/2023

 Amended Notice  
*OF MEDIATION  
TUESDAY, SEPTEMBER 19, 2023 AT 9:30 A.M.*

*Index # 152*

*Cancelled via courtMAP*

09/04/2023



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CIRCUIT CIVIL  
CASE SUMMARY


*Plaintiff's Motion for Summary Judgment Regarding Overhead and Profit; Plaintiff's Motion for Summary Judgment Regarding Recoverable Depreciation; Plaintiff's Motion for Summary Judgment Regarding Coverage A and Coverage C*

07/25/2023

 Response to Motion

*Index # 136*

07/21/2023

 Amended Motion

*Index # 135*


*to Strike Defendant's*

07/21/2023

 Notice of Production

*Index # 134*

07/21/2023

 Motion to Show Cause


*Index # 133*

07/19/2023

 Witness List

*Index # 132*

07/17/2023

 Motion to Strike  
Party: Plaintiff Cannon, Thomas J

*Index # 131*

07/11/2023

 Witness and Exhibit List


*Index # 130*

07/11/2023

 Cancellation Notice

*Index # 129*

07/10/2023

 Notice of Answer to Interrogatories

*Index # 128*

07/10/2023

 Response to Request for Production

*Index # 127*

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FILE


CANON

**CASE SUMMARY**  
**CASE NO. 2022-005696-CA-01**

06/16/2023  Notice of Answer to Interrogatories Index # 116

06/16/2022  [REDACTED]


*Robert Osborn*

06/16/2023  Order:  
*DENYING DEFENDANT'S MOTIONS TO QUASH SUBPOENA  
 DUCES TECUM, ETC.* Index # 115

06/15/2023  Order Granting Motion to Compel Index # 114

06/07/2023  Motion to Compel Index # 113


05/31/2023  Notice of Filing  
*Amended Exhibit* Index # 112

05/31/2023  Motion:  
*TO DETERMINE AMOUNT OF SANCTIONS TO BE NETERED AGAINST DEFENDANT  
 AND INCORPORATED MEMORANDUM OF LAW* Index # 111

05/23/2023  Notice of Hrg Special Appt  
*07-26-2023 at 9:45 AM via zoom* Index # 110

05/22/2023  Notice of Compliance  
*To Plaintiffs' Discovery Requests* Index # 109

05/22/2023  Motion for Summary Judgment Index # 108

05/22/2023  Notice of Filing:  
*Affidavit Of Pasquale Cuccaro In Support, Etc.* Index # 107

05/12/2023  Order:  
*GRANTING PLAINTIFF'S MOTION FOR ORDER TO SHOW CASUE AND MOTION FOR* Index # 104

CIRCUIT CIVIL  
**CASE SUMMARY**  
CASE NO. 2022-005696-CA-01

05/03/2023



Notice:

*PLAINTIFFS' NOTICE OF FILING AFFIDAVIT OF HECTOR SICRE IN SUPPORT OF PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT AGAINST DEFENDANT ON THE ISSUE OF LIABILITY FOR ADDITIONAL DAMAGES OWED UNDER COVERAGE"*

*Index # 100*

05/01/2023



Motion for Summary Judgment

*Index # 99*

05/01/2023



Notice of Filing:

*AFFIDAVIT IN SUPPORT OF PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT*

*Index # 98*

05/01/2023



Notice of Filing:

*SUPPORT OF PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT AGAINST*













04/28/2023

Special Sets (10:15 AM) (Judicial Officer: Section, CA 30)
























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CIRCUIT CIVIL  
**CASE SUMMARY**  
**CASE NO. 2022-005696-CA-01**















03/03/2023	<b>Special Sets (9:00 AM)</b> (Judicial Officer: Section, CA 30) <i>Defendant's Motion for Leave to Amend Answer and Affirmative Defenses to Plaintiff's Complaint; Plaintiff's Objection and Response to Defendant's Motion for Leave to Amend Answer and Affirmative Defenses to Plaintiff's Complaint and Memorandum of Law; Defendant's Motion to Quash Subpoena Duces Tecum Directed at Universal Adjusting Corporation (dba Alder Adjusting); Plaintiff's Objection and Response to Defendant's Motion to Quash Subpoena Duces Tecum Directed at Universal Adjusting Corporation (dba Alder Adjusting); Defendant's Motion to Quash Subpoena Duces Tecum Directed to Coastal Adjustment Services, Inc.; Plaintiff's Objection and Response to Defendant's Motion to Quash Subpoena Duces Tecum Directed to Coastal Adjustment Services, Inc.</i>	
02/28/2023	 Notice of Filing: <i>Deposition Transcript Of Jared McGreevey Dated February 10, 2023</i>	Index # 82
02/24/2023	 Amended Notice of Taking Deposition	Index # 83
02/21/2023	 Motion to Show Cause	
02/13/2023	 Notice of Hrg Special Appt	Index # 79
02/09/2023	 Order Granting Motion to Compel	Index # 78
02/09/2023	 Notice of Production	Index # 77
02/09/2023	 Notice of Production	Index # 76
02/09/2023	 Notice of Production	Index # 75
02/09/2023	 Notice of Production	Index # 74
02/09/2023	 Notice of Production	Index # 73
02/09/2023	 Notice of Production	Index # 72
02/09/2023	 Notice of Production	Index # 71
02/09/2023	<b>Motion Calendar (8:30 AM)</b> (Judicial Officer: Section, CA 30) <i>Plaintiff's Motion to Compel Defendant to Designate Corporate Representative for Deposition</i>	

CIRCUIT CIVIL  
**CASE SUMMARY**  
CASE NO. 2022-005696-CA-01

02/02/2023	 Request for Production	Index # 65
02/01/2023	 Notice of Hearing- 02/09/2023	Index # 70
01/31/2023	 Notice of Filing: <i>IN SUPPORT OF PLAINTIFF'S MOTION TO COMPEL DEFENDANT TO DESIGNATE CORPORATE REPRESENTATIVE(S) FOR DEPOSITION(S) PER FLA. CIV. P. 1.310(b)(6)</i>	Index # 69
01/24/2023	<i>CANCELED Motion Calendar (8:30 AM) (Judicial Officer: Section, CA 30) Cancelled via courtMAP Pl's Attorney is at a conference</i>	
01/17/2023	 Notice of Answer to Interrogatories	Index # 64
01/12/2023	 Motion to Compel	Index # 63
01/10/2023		
01/09/2023		
01/08/2023		
01/07/2023		
01/06/2023		
01/05/2023		
01/04/2023		
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CIRCUIT CIVIL  
**CASE SUMMARY**  
CASE NO. 2022-005696-CA-01

*Plaintiff's Amended.*

11/30/2022	 Notice of Production	<i>Index # 48</i>
11/30/2022	 Notice of Production	<i>Index # 47</i>
11/18/2022	 Order Extending Time for	<i>Index # 46</i>
11/17/2022	 Motion for Leave	<i>Index # 45</i>
11/15/2022	 Exhibit List	<i>Index # 44</i>
11/15/2022	 Witness List	<i>Index # 43</i>
11/01/2022	 Request for Production	<i>Index # 42</i>
11/01/2022	 Notice of Interrogatory	<i>Index # 41</i>
10/28/2022	 Motion to Quash Party: Defendant Universal Property & Casualty Insurance Company	<i>Index # 40</i>
10/27/2022	 Order on Motion to Strike <i>Agreed</i>	<i>Index # 35</i>
10/27/2022	 Notice of Cancellation of Hearing	<i>Index # 39</i>
10/27/2022	 Motion for Extension of Time Party: Plaintiff Cannon, Thomas J	<i>Index # 38</i>
10/27/2022	<b>CANCELED Special Sets (2:45 PM)</b> (Judicial Officer: Section, CA 30) <i>Cancelled via courtMAP</i> <i>Resolved; Agreed Order submitted</i>	
10/26/2022	 Notice: <i>OF WITHDRAWAL OF</i> <i>NOTICE OF PRODUCTION TO NON-PARTIES</i>	<i>Index # 37</i>
10/25/2022	 Response to Motion	<i>Index # 36</i>




CIRCUIT CIVIL  
**CASE SUMMARY**  
CASE NO. 2022-005696-CA-01


09/15/2022	 Motion to Compel	<i>Index # 29</i>
08/08/2022	 Notice of Hrg Special Appt	<i>Index # 28</i>
08/04/2022	 Privilege Log	<i>Index # 27</i>
08/04/2022	 Response to Request for Production	<i>Index # 26</i>
08/04/2022	 Notice of Answer to Interrogatories	

08/04/2022  Response to Request for Admissions

[REDACTED]

08/01/2022  Order Setting CM Deadline *Index # 23*




07/05/2022  Request for Production *Index # 22*

07/05/2022  Request for Admissions

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CIRCUIT CIVIL  
**CASE SUMMARY**  
CASE No. 2022-005696-CA-01

03/28/2022	 Request for Production	<i>Index # 6</i>
03/28/2022	 Notice of Interrogatory	<i>Index # 5</i>
03/28/2022	 Request for Admissions	<i>Index # 4</i>

[REDACTED]

COPY

03/28/2022	 Civil Cover Sheet - Claim Amount Amount: 100,001.00	<i>Index # 1</i>
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DATE

FINANCIAL INFORMATION

Plaintiff Cannon, Thomas J

Total Charges

411.00

Total Deposits

411.00

STATE OF FLORIDA, COUNTY OF MIAMI-DADE

I HEREBY CERTIFY that the foregoing is true and correct  
original and true to the best of my knowledge and belief.

LUIS G. MONTALDO, Clerk Ad of Circuit and Courts

Deputy

[REDACTED]



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

CASE NO: 2023-005606-CA-01

SECTION: CA30

JUDGE: Reemberto Diaz

**Thomas J Cannon**

Plaintiff(s)

vs

**Universal Property & Casualty Insurance Company**

Defendant(s)

**ORDER GRANTING PL  
REGARDI**

**CIATION**

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

130

2023/08/04

the amount of \$7,039.08.

6. The judgment amount of \$7,039.08 shall bear interest at the legal rate, for which let execution issue forthwith.

**DONE** and **ORDERED** in Chambers at Miami-Dade County, Florida on this 4th day of August, 2023.



Hon. Reemberto Diaz

**CIRCUIT COURT JUDGE**

Electronically Signed

Final Order as to All Parties SRS #: 12 (Other)

THE COURT DISMISSES THIS CASE AGAINST ANY PARTY NOT LISTED IN THIS FINAL ORDER OR PREVIOUS ORDER(S). THIS CASE IS CLOSED AS TO ALL PARTIES.

ANDREA Cleary, adcleary1463@gmail.com  
ANDREA Cleary, adcleary1463@gmail.com  
ANDREA Cleary, adcleary1463@gmail.com  
Kyle Jude Stewart uncicservice09@universalproperty.com

FILED  
2023 AUG 04 PM 4:11  
CLERK OF COURT  
MIAAMI-DADE COUNTY  
Luis G. Montalvo, Clerk of Court

Kyle Jude Stewart, as0307@universalproperty.com  
Kyle Jude Stewart, ks1004@universalproperty.com  
Matthew R Danahy, matt@danddlaw.com  
Matthew R Danahy, katy@danddlaw.com

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

CASE NO: 2022-005696-CA-01

SECTION: CA30

JUDGE: Reemberto Diaz

**Thomas J Cannon**

Plaintiff(s)

vs.

**Principal Payments & Construction Services Company**

Defendant(s)

**ORDER GRANTING P  
REGARDING DEFENDANT**

**PROFIT**

This matter, having come before the Court for hearing on July 26, 2023, upon Plaintiff's Motion For Summary Judgment Regarding Defendant's Failure to Pay Contractors' Overhead and Profit, and the Court having reviewed the record evidence, heard argument of counsel and being otherwise fully advised in the premises, it is hereby

ORDERED AND ADJUDGED as follows:

1. Plaintiff's Motion for Summary Judgment is **GRANTED**.

issue any payment for general contractors' overhead and profit to Plaintiff contrary to Florida Law.

4. The evidence is uncontroverted and unopposed that Defendant breached the contract by

withholding and failing to pay general contractors' overhead and profit on its actual cash value claim payment to Plaintiff.

5. The court finds that 10% overhead and 10% profit are owed to Plaintiff, and based on the damages estimate prepared by Jared McGreevy relied on by Defendant to issue its payments

6. Plaintiff's claim for overhead and profit should have been paid in the actual cash value

Deputy

Final Order as to All Parties SRS #: 12 (Other)

THE COURT DISMISSES THIS CASE AGAINST ANY PARTY NOT LISTED IN THIS  
FINAL ORDER OR PREVIOUS ORDER(S). THIS CASE IS CLOSED AS TO ALL PARTIES

**Electronically Served:**

ANDREA Cleary, [adcleary1463@gmail.com](mailto:adcleary1463@gmail.com)

ANDREA Cleary, [adcleary1463@gmail.com](mailto:adcleary1463@gmail.com)

ANDREA Cleary, [adcleary1463@gmail.com](mailto:adcleary1463@gmail.com)

Kyle Jude Stewart, [upcicservice09@universalproperty.com](mailto:upcicservice09@universalproperty.com)

Kyle Jude Stewart, [kc0307@universalproperty.com](mailto:kc0307@universalproperty.com)