

October 18, 2023

Re: *Dana Quamina, personal representative of the Estate of Carmen Louis, deceased, and Michael Bullen, a surviving spouse of decedent and individually, v. Whitehall Condominiums of the Villages of Palm Balm Beach Lakes Association, Inc., et al.*

**NOTICE TO UNIT OWNER MEMBERS AND ALL INTERESTED PERSONS OF
POTENTIAL LIABILITY FOR DAMAGES IN EXCESS OF LIABILITY INSURANCE
PURSUANT TO SECTION 718.119(3), FLA. STAT.**

Dear Unit Owner,

We are writing you to let you know that a lawsuit has been filed against Whitehall Condominiums of the Villages of Palm Balm Beach Lakes Association, Inc. (the "Association") in connection with a pedestrian-motor vehicle accident which occurred at or near 2741 Village Blvd., West Palm Beach, Florida 33409, as further described below.

Our understanding of the event at this time is that around 6:00 a.m. Monday, April 3, 2023, two non-residents, Michael Bullen and Carmen Louis, were walking on the sidewalk on the boundary of the condominium property and the roadway. According to the Plaintiffs' Complaint, both individuals stepped off the sidewalk and into the road to allegedly avoid being sprayed by a sprinkler system and were struck by a traveling motor vehicle, causing the death of Ms. Louis and serious injuries to Mr. Bullen. As a result, claims for wrongful death and personal injury have been filed against the Association and three other parties for alleged negligence as it relates to the control and maintenance of the sprinkler system, and also against the driver of the vehicle for alleged negligence as it relates to the operation of her motor vehicle. The Complaint can be viewed on the Palm Beach County Circuit Court Clerk's website under Case Number is 50-2023-CA-014086. The Association was served with this lawsuit on October 6, 2023 and is being defended by our insurance carrier.

Under the general liability insurance policy maintained by the Association, coverage for claims against the Association is limited to \$1,000,000 per occurrence and \$2,000,000 for claims in the aggregate. Thus, members of the Association may be liable for damages in excess of the policy limits should the Plaintiffs prevail on their claims against the Association in amounts that exceed available coverage. Section 718.119(3) of Florida's Condominium Act provides the following:

In any legal action in which the association may be exposed to liability in excess of insurance coverage protecting it and the unit owners, the association shall give notice of the exposure within a reasonable time to all unit owners, and they shall have the right to intervene and defend.

The Association's general liability insurance carrier has retained legal counsel, the law firm of Cole, Scott & Kissane, P.A., to represent and defend the Association in this legal proceeding. The Association denies any wrongdoing and will continue to work in the best interests of its membership as the Association navigates the litigation process under the guidance of its legal counsel. The Association will continue to provide information and updates to the membership as it is able to.

A membership meeting will be held in the near future to allow for questions and comments from the community related to this Notice.

This Notice is being given by the following methods: (1) Mailing the Notice to the person(s) in the Association's records listed as being a Unit Owner or representing a Unit Owner.

Regards,

Whitehall Condominiums of the Villages of
Palm Balm Beach Lakes Association, Inc.,

/s/ Bernadette Ramos
Bernadette Ramos, as President