

IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT, IN AND FOR
FIFTEENETH COUNTY, FLORIDA

CASE NO.: 2025CA002753
JANINE LYNETTE CAMACHO and
JEFFREY CAMACHO, Individually, and as
Husband and Wife,

Plaintiffs,
vs.

ELISABETH ANN TAYLOR, GEORGE
PRESSLEY TAYLOR V, and MICHELLE
LOPEZ,
Defendants.

**DEFENDANTS' ORDER GRANTING DEFENDANTS' MOTION IN LIMINE
REGARDING ADMISSIBLE EVIDENCE OF PAST AND FUTURE MEDICAL
TREATMENT OR SERVICES EXPENSES AND APPLICATION OF FLA. STAT. §
768.0427**

THIS MATTER having come before this Honorable Court on October 30, 2025, via Zoom, on Defendants' Motion in Limine Regarding Admissible Evidence of Past and Future Medical Treatment or Services Expenses and Application of Fla. Stat. § 768.0427, and the Court having heard arguments from the parties, it is hereby:

ORDERED AND ADJUDGED as follows:

1. Defendants' Motion in Limine Regarding Admissible Evidence of Past and Future Medical Treatment or Services Expenses and Application of Fla. Stat. § 768.0427 is hereby **GRANTED**.
2. This matter was filed after March 24, 2023, and therefore compliance with Fla. Stat. § 768.0427 is applicable to the parties in this litigation and will be required. *Wolf v. Williams*, 397 So. 3d 799, 802 (Fla. 5th DCA 2024).
3. At the time of the subject motor vehicle accident, the Plaintiff had health insurance.
4. Thus, under these circumstances, and under Fla. Stat. § 768.0427 the Plaintiff has the burden of proof and burden of production to provide (a) *Evidence offered to prove the amount of damages for past medical treatment or services that have been satisfied is limited to evidence of the amount actually paid, regardless of the source of payment. See Fla. Stat. § 768.0427(2)(a).*

5. The Court further finds, under Fla. Stat. § 768.0427, that the Plaintiff has the burden of proof and the burden of production to provide evidence, where applicable to this case, as follows:

6. *(b) Evidence offered to prove the amount necessary to satisfy unpaid charges for incurred medical treatment or services shall include, but is not limited to, evidence as provided in this paragraph.*

7. *(1) If the claimant has health care coverage other than Medicare or Medicaid, evidence of the amount which such health care coverage is obligated to pay the health care provider to satisfy the charges for the claimant's incurred medical treatment or services, plus the claimant's share of medical expenses under the insurance contract or regulation.*

8. *(2) If the claimant has health care coverage but obtains treatment under a letter of protection or otherwise does not submit charges for any health care provider's medical treatment or services to health care coverage, evidence of the amount the claimant's health care coverage would pay the health care provider to satisfy the past unpaid medical charges under the insurance contract or regulation, plus the claimant's share of medical expenses under the insurance contract or regulation, had the claimant obtained medical services or treatment pursuant to the health care coverage.*

9. *(3) If the claimant does not have health care coverage or has health care coverage through Medicare or Medicaid, evidence of 120 percent of the Medicare reimbursement rate in effect on the date of the claimant's incurred medical treatment or services, or, if there is no applicable Medicare rate for a service, 170 percent of the applicable state Medicaid rate.*

10.*(4) If the claimant obtains medical treatment or services under a letter of protection and the health care provider subsequently transfers the right to receive payment under the letter of protection to a third party, evidence of the amount the third party paid or agreed to pay the health care provider in exchange for the right to receive payment pursuant to the letter of protection.*

11. As it pertains to Plaintiff's presentation of future medical bills, the Court places the burden on the Plaintiff under Fla. Stat. § 768.0427(c) to present evidence to the jury as follows:

12. *(1) If the claimant has health care coverage other than Medicare or Medicaid, or is*

eligible for any such health care coverage, evidence of the amount for which the future charges of health care providers could be satisfied if submitted to such health care coverage, plus the claimant's share of medical expenses under the insurance contract or regulation.

13. (2) *If the claimant does not have health care coverage or has health care coverage through Medicare or Medicaid, or is eligible for such health care coverage, evidence of 120 percent of the Medicare reimbursement rate in effect at the time of trial for the medical treatment or services the claimant will receive, or, if there is no applicable Medicare rate for a service, 170 percent of the applicable state Medicaid rate.*

14. Compliance with Fla. Stat. § 768.0427 in this regard and in this case is a condition precedent to the admissibility of such evidence and the burden of proof and production is on the Plaintiff to comply and to produce said evidence and materials as contemplated under Fla. Stat. §768.0427.

DONE AND ORDERED in Chambers at Palm Beach County, Florida on this _____ day of _____, 2025.

50-2025-CA-002753-XXXX-MB 11/11/2025
G. Joseph Curley, Jr. Circuit Judge
ADMINISTRATIVE OFFICE OF THE COURT

50-2025-CA-002753-XXXX-MB 11/11/2025
G. Joseph Curley, Jr.
Circuit Judge

Honorable G. Joseph Curley, Jr. Circuit Court Judge

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