

**FRAUD****Intentional Torts - Racketeering****Pest control failed to perform proper termite treatments****VERDICT** **\$2,007,432****CASE** Park Place Apartments v. Orkin Inc.,
No. 02-558**COURT** Hillsborough County Circuit Court,
13th, FL**JUDGE** Richard A. Nielsen**DATE** 11-13-2007**PLAINTIFF****ATTORNEY(S)** **Peter M. Cardillo**, Cardillo Law
Firm, Tampa, FL, for Park Place
Apartments**DEFENSE****ATTORNEY(S)** **Douglas B. Brown**, Rumberger,
Kirk & Caldwell, Orlando, FL, for
Orkin, Inc.

FACTS & ALLEGATIONS Atlanta-based Orkin Inc. first entered into a contract with plaintiff Park Place Apartments in Tampa in the early 1980s. Park Place claimed that in 1998 the apartments became infested with termites.

Park Place sued Orkin for fraud, racketeering and forgery. It claimed that an Orkin inspector forged signatures on inspection reports. This was admitted to be the offending employee during depositions. The employee was subsequently fired by Orkin.

Park Place claimed that Orkin did not perform the termite treatments properly. Among the faulty methods used according to plaintiff's counsel, was a technique called "spot treatments". This technique involved treating only the infested area, rather than the entire building. Plaintiff's counsel retained a pest control expert who said that this method was inferior.

INJURIES/DAMAGES Plaintiff's counsel claimed about \$3 million in damages. This sum included the cost to repair the wood devoured by the termites. 10 apartment buildings and 128 units were affected by the termites. During the period of repair, the units would have to be vacated and no rent could be collected during the period of vacancy.

VERDICT INFORMATION The parties reach a settlement totaling \$2,007,432 which will be put toward renovations. Park Place indicated its insurer will compensate them for additional damages sustained.

PLAINTIFF**EXPERT(S)** None**DEFENSE****EXPERT(S)** None

EDITOR'S COMMENTS This report is based on information provided by plaintiff's counsel. Defense counsel declined to comment.