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### **AOB News Isn't All Bad; Suit Against Insurer Thrown Out for Fraud**

In an amazing turn of events, a Broward County Judge recently dismissed with prejudice a lawsuit filed by a water restoration firm against Florida Peninsula Insurance Company after the company convinced the Court it had been a victim of fraud at the hands of the water remediation firm. Yes, you heard right. The matter all started when on 9/10/2014, Florida Peninsula policyholder Curline Dixon supposedly suffered a roof and water loss at her home. According to the suit, Dixon thereafter hired a public adjuster who recommended to her that she hire State 2 State Restoration, Inc. to perform water extraction/remediation services. Dixon followed the advice and also executed an Assignment of Benefits (AOB) making State 2 State Restoration Assignee on the insurance claim. State 2 State later brought suit against Florida Peninsula for Breach of Contract over payments of amounts allegedly owned on the claim. As part of the process of preparing the case the insurer discovered information indicating that State 2 State may not have been completely straightforward in the claim and court dispute. Therefore, on 10/8/2015, Florida Peninsula filed with the Court a Motion to Dismiss with Prejudice alleging that State 2 State had fraudulently misrepresented the facts of the case in order to sustain its breach of contract lawsuit against the insurer. The insurer asserted in its pleading that the water extraction firm billed it for work never performed and doctored evidence in the case in order to prevent the Court from discovering the truth in the case. Broward Judge Stephen J. Zaccor found the insurer's allegations credible and on 10/13/2015, he signed an Order dismissing State 2 State's lawsuit against the insurer with prejudice. This means that State 2 State is prohibited from filing this same suit in the future. Please click [HERE](#) if you would like to read the Court's Order. It's an extremely interesting read!