

## History Made as Shutts & Bowen Tries Florida's First Zoom Federal Court Jury Trial

2.2.21

In the first federal civil jury trial in Florida to be conducted entirely online via Zoom, a "stay-at-home" jury in the Middle District of Florida returned a verdict in favor of Shutts & Bowen's client, The Northwestern Mutual Life Insurance Company, denying the Plaintiff's claim for \$4 million in life insurance benefits after finding that her husband committed suicide.

The Shutts legal team included lead attorney [John Meagher](#), Office Managing Partner for the firm's Miami office and Chair of the Insurance Practice Group; [Jake Monk](#), a partner in the Miami office; Nicholas H. Esser, an associate in the Miami office; paralegal Maria Martinez; and Litigation Support Specialist Michael C. Wilson.

The trial was unique, as each participant, including each member of the jury, was located in a different physical location, due to the COVID-19 pandemic. U.S. District Judge Mary S. Scriven ordered that the entire trial be conducted via Zoom. The Court's detailed order for remote/virtual civil jury trial ensured a fair and efficient presentation of evidence and deliberations by jurors (the verdict was electronically signed). Each juror participated from their homes or offices, as did witnesses from throughout the state. The trial began on January 25, 2021, and closing arguments were held on January 29, 2021. After 35 minutes of deliberations, the eight-person jury returned a unanimous verdict in favor of Northwestern Mutual.

Cheryl Staple sued the insurer in December 2017 after Northwestern Mutual denied the plaintiff's claim for \$4 Million in life insurance benefits following the March 2016 death of her husband Desmond Staple, an attorney who was disbarred eight months before his death. Relying on the medical evidence establishing that Mr. Staple had taken a massive ingestion of acetaminophen (commonly known as "Tylenol"), as well as establishing the occupational, financial, and marital stress he was under at the time, the Shutts legal team successfully proved to the jury that Mr. Staple committed suicide.

John Meagher said he was thankful for the jury's work in what was a difficult and emotional proceeding.

"This was a tragic case, but the jury found that Mr. Staple, who took the equivalent of more than 112 Tylenol Extra Strength pills the day before being found in a Walmart parking lot, committed suicide. Mr. Staple had purchased the insurance coverage less than a year before his death and while in the process of being disbarred. Because the suicide occurred so soon after the purchase of the policies, the benefits available under the policies were limited to the premiums paid, with interest, which Northwestern Mutual correctly paid to Plaintiff. The jury had the opportunity to review all of the

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evidence in the case and made the correct determination."

Commenting on the nature of these unique virtual proceedings, Jake Monk commended Judge Scriven and the court staff for their preparation for an all-virtual trial.

"The Court and her staff held multiple 'technical checks' in the weeks leading up to the trial, which included walkthroughs of various procedures related to the housing of documentary evidence, all of which ensured the smooth presentation of evidence to the Jury. Judge Scriven's process will certainly provide much-needed relief to a mounting backlog in civil dockets."

### **About Shutts & Bowen LLP**

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### **Professionals**

John E. Meagher

Jake Monk

### **Practice Areas**

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### **Industries**

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### **Offices**

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