

'It Was Very Personal': South Florida Attorney Secures \$1 Million Settlement Over Childhood Friend's Murder

"Every single day this case was on my mind," said Fort Lauderdale attorney Josiah Graham.

By **Raychel Lean** | July 07, 2020



Josiah D. Graham of Kelley | Uustal

Josiah Graham of Kelley |Uustal in Fort Lauderdale is no stranger to negligent security lawsuits. But this one really hit a nerve, as it involved a childhood friend murdered outside his Lauderhill apartment complex.

With co-counsel Todd Falzone, Graham has secured a \$1 million policy limit settlement with Circle One Condominium Inc. and its owners Benchmark Property Management Inc., leaving only the association remaining in the litigation.

It was Father's Day 2019 when Jeffrey Brown, 31, was shot multiple times outside the Circle One Condominium Complex after a beach day with two of his children. Police are still investigating, and haven't made any arrests, according to Graham, who grew up with Brown in Melrose Park.

"It was very personal to me," said Graham, who has also known plaintiff Jacquelyn Brown — the mother of two of Brown's children — since middle school.

'The life that he had there'

Brown is survived by three children, ages 8 and 10, and a 5 month old.

“Every single day this case was on my mind. So my plan was to, every single day, do something, whether it’s an hour or eight hours, dedicated towards this case,” Graham said.

Rather than simply sending investigators to the complex, Graham went personally several times.

“I thought it was important for me to read through every single page, thousands of pages of pertinent documents,” Graham said. “I thought it was important for me to go to Jeffrey’s apartment, retrace his steps, walk around the building and talk to people, to really try to engulf myself in the life that he had there.

”The first thing Graham noticed: there was no guard gate — only a mechanism where one used to be. And there was a guard house, but it was abandoned.

“The place is just in shambles. There’s trash all over. You can tell it’s been completely neglected by the owners,” Graham said. “There are three decoy cameras that have been in the same position for over a decade that do not record anything, and there’s just been a litany of crimes that have run rampant in this community.”

Graham and Falzone read thousands of pages of police reports, which revealed people had been pistol-whipped, robbed, shot at, burglarized and kidnapped at the complex, while one employee reported being threatened with a gun.

‘When is this guy going to finish?’

Despite this, Circle One fired its security staff two years before Brown was killed, according to Graham.

The attorney deposed the owner of 148 of 190 units, who’s also the corporate representative for the defendants and president of the association.

The representative conceded he wouldn’t recommend the complex to friends or family and never spoke with Brown’s family after the murder, according to Graham, who spent eight hours deposing him, and an entire week planning his questions.

“I can tell the people in the deposition thought, ‘Wow, when is this guy going to finish?’ but it’s because I had in the back of my mind that I’m not going leave this deposition until I find out everything I need to know and ask every single question,” Graham said.

When probed about security, the representative said there were “boots on the ground” in the form of two maintenance workers living on the premises and claimed tenants would call about any issues.

“I asked him in the deposition if he could name me some people who have his phone number,” Graham said. “I think he could recall two people out of the 190 units who he knew had his phone number.”

Earleen Cote and Jason Friedman of Kubicki Draper in Fort Lauderdale and Mitchell Lundeen of Chartwell Law represent Circle One Condominium and Benchmark. They did not respond to requests for comment by deadline.



Todd Falzone

Falzone also deposed the owner, inquiring, “Have you ever been there after dark?”

“He’s owned the place for over 10 years and his answer was ‘No,’ ” Falzone said.

The case provides a grim a snapshot of what’s happening on a national level, in Falzone’s view.

“The people who own these places, it’s almost like they are willing to accept that there’s terrible crime happening and they sort of look past it because this is a poor community,” Falzone said. “This is the problem where people who are economically depressed and have had a hard life are not given the same opportunities that other folks have.”

‘His life mattered’

About two weeks before Brown was killed, he’d asked Graham for a different kind of legal help. A mutual friend had been arrested, so concerned friends and family looked to “The Lawyer,” as Graham is known in his old neighborhood.

That was the last time they spoke.



Jeffrey J. Brown with his daughter and son

Brown was a big family man who was goofy and silly with his kids, according to Graham. He said Brown was happiest while on the water, catching fish — exactly how he spent his last day — and remembers him as “the backbone of a lot of friendships,” who never had a bad word to say about others.

“I wanted to show Circle One that his life mattered,” Graham said. “You can’t just allow things like this to happen and think that it’s OK that someone like this can die because of their complete negligence, yet no one has to be held accountable.”

The Circle Property Owners’ Association Inc. is still litigating the case, and trial is set for February 2021. Its attorneys, Pamela Chamberlin and Steven Adamsky of Mitrani, Rynor, Adamsky & Toland in Weston, did not respond to a request for comment by deadline.

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