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STRANGE LAWYER STORIES



Lawyer, Lawyer, Pants on Fire?

A lawyer's pants really did catch fire, DURING COURT. Doesn't that sound like the ending of a bad lawyer joke? It's a true story. Attorney Stephen Gutierrez was the defense attorney for (no lie) an arson case! His client, Claudy Charles, was accused of setting his car on fire.

The Details

During Attorney Gutierrez's closing argument, he said he began to feel heat coming from his pocket. As he argued that his client was innocent and that his car miraculously just spontaneously combusted, his pants literally did!

What caused the lawyer's pants to erupt in flames?

For some reason, he was carrying several electric cigarette batteries! Apparently, there are many reports of electronic batteries exploding across the country.

The Outcome

Well, Attorney Gutierrez seems to have made a lifestyle change due to his day in court. He reportedly said, "The dangers of these devices, and accessories, have led me to quit using e-cigarette products."

If you want to read more crazy lawyer stories, be sure to follow us on our social media pages.



A Statewide Law Firm

Many of our clients never come into the office. We use technology to handle their cases virtually all across Florida.



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OCTOBER 2021

Growing Together with You

Not All Leaders Are Created Equal!

Why I'm a Fan of South Dakota Governor Kristi Noem

This summer, something amazing happened to me in a tiny South Dakota airport: I met the state's governor, Kristi Noem! I'm not ashamed to say that I fangirled a little bit. I even got my son Nick to take a photo of the two of us like I was a teenage girl at a rock concert. If you're confused about why a Florida lawyer was thrilled to meet a politician from a totally different state, just read on and I'll explain.

That airport was the last stop on my family's way home from the Buffalo Chip Sturgis Rally, a 10-day music festival for motorcyclists on a 600-acre campground in South Dakota. We went for the Motorcycle World Record Poker Run. It's an epic ride that goes all the way from Florida to Sturgis, and I sponsored it this year as the "Sunshine State Biker Lawyer."



I'm not actually a biker, but let me tell you, Buffalo Chip was a big, fun place in the middle of a beautiful state! Marjorie, the kids, and I had a blast. We met the owner of the Buffalo Chip, Woody, and spent three days traveling all around the Black Hills. Everywhere we went, what struck me was how fun and laid back the people of South Dakota were. They were happy, thriving, and motivated to do what was best for their community.

That visit made me proud to be an American. It also made me even more excited to potentially meet Governor Kristi Noem. Running into her at the airport was a huge stroke of luck. I've admired Governor Noem for a long time. My approval doesn't have anything to do with her political party, age, race, or gender. What stuck out to me about Governor Noem from the very first time I saw her on TV was her leadership style.

A good leader rises above the political fray to do what's right for their country, their state, or their business. Period! There are no if, ands, or buts. The entrepreneur Gary Vaynerchuk once tweeted that, "Reputation is the ultimate currency," but I don't agree. Your reputation is just what other people think of you. What really matters is your integrity. You need to be 100% honest, stick to your moral principles, and never compromise on them. That's how you lead.

That's what Governor Kristi Noem does. Her decisions during the COVID-19 pandemic went against the grain and

sometimes they were unpopular with just about everyone. But she rose above the political fray and stood firm in the position she felt was right for the people of South Dakota. It would have been easy for her to fall in line to make her own life easier, but she decided to swim upstream.

As a leader myself, I admire Governor Noem's integrity. Sometimes, I have to make difficult decisions to lead Dellutri Law Group, but the needs of the firm, my team, and my clients come before mine. For example, when we had to pick a new company health plan, I didn't choose the option that would have benefitted me and my family at the expense of the rest of the team — even though they never would have known it. Instead, I went with the option that cost me a lot more every month but saved my employees money. For me, it was an easy choice and the one any good leader would have made.

When leadership is done right, it's worth admiring, and that's why I couldn't wait to shake hands with Governor Noem in the Rapid City, South Dakota, airport. I introduced myself as the Sunshine State Biker Lawyer, and she was just as nice as I expected her to be. Afterward, Marjorie turned to me and said, "You're the luckiest son of a gun I've ever met." She got that right!

-Carmen Dellutri

P.S. Woody, if you need a judge at next year's Miss Buffalo Chip contest, I'm your man!

If you know someone who would like a copy of this newsletter, please visit this link to add them to our mailing list: DellutriLawGroup.com/resources/newsletters

WHEN CREDITORS TRY TO COLLECT A DEBT THAT DOESN'T EXIST

Have you had the chance to meet our Debt Defense Attorney, Joe LoTempio? He's been with our office for over a decade and, in that time, has sued countless banks and creditors on behalf of our clients. Joe always has the craziest stories, as he rarely has any two cases that are the same. Attorney LoTempio tells us about one of his prior cases below.

A big chunk of my job as a consumer protection attorney at The Dellutri Law Group is suing banks, mortgage servicers, debt collectors, and various other creditors for continually trying to collect money that isn't owed, either because it was paid off, legally discharged in a bankruptcy, or (occasionally) never owed in the first place. Usually, that means the creditor continues sending billing statements on a regular basis, sometimes every month, for a long time after the debt is no longer actually owed — and sometimes after a cease-and-desist letter or even a lawsuit.

I know what you're thinking: "Joe, buddy, come on ... nobody could possibly be that stupid, right?" Wrong. Creditors can be pretty stupid. Whether it's willful ignorance, a glaring omission in their internal systems, or something else entirely, creditors frequently make the same mistakes over and over and over again, even after being sued for it. The federal Fair Debt Collection Practices Act (FDCPA) and its state law counterpart, the Florida Consumer Collection Practices Act (FCCPA), are designed to discourage certain debt collection practices that these creditors frequently engage in. These laws further encourage them to reconfigure their business processes and methods to avoid committing the kinds of violations that land them on the receiving end of a lawsuit. However, some creditors don't take the hint, even after being sued multiple times for the same violation against the same person.

Case in Point

I sue mortgage servicers for this kind of thing all the time. I recently had a client — the sweetest lady I've ever met — who surrendered her home back to the bank in a bankruptcy long ago. She moved

out of the house, finished her bankruptcy, got relieved of the debt, and assumed that was the end of it. Then, for reasons I'll never understand, the mortgage debt was transferred to a new servicer several years after the bankruptcy discharge wiped out her personal obligation to pay the mortgage debt. That servicer then sent my client monthly billing statements every month for over a year, even after I sent a cease-and-desist letter. Stupid, right??

So, I had to sue the servicer, and eventually the case settled without going in front of the judge. As a part of the settlement agreement, the servicer specifically agreed that it would make no further attempts to collect the discharged mortgage debt from my client. That should have been the end of it, but it wasn't. After a few months of zero contact, the servicer then resumed sending its monthly bill, demanding that my client pay money on a mortgage that she didn't owe anymore. The best part was that the house itself had already been foreclosed upon by the homeowners' association, so the house didn't legally belong to her anymore anyway. There was absolutely no reason the servicer should be sending the bills, especially given the prior lawsuit — yet they were still being sent every month, like clockwork. Cue the facepalm.

But wait, it gets better. Thus, we sued the servicer a second time, and this time demanded punitive damages — damages designed to punish them for egregiously violating the law with no regard for my clients' rights and no excuse that they could possibly mount with a straight face. They were served with the lawsuit, and their attorney began filing things in opposition, but the billing statement continued for several months after the second suit was filed!

Eventually, the case settled but not before several years of hardcore litigation. Despite very obviously being on the wrong end of the law, the servicer fought us tooth and nail, right up until trial, because they would never admit that what they did was stupid. And that, friends, should tell you just how stupid creditors can be!

“Testimonial

Our Clients Say It Best



“When you have need of an attorney's advice, it's comforting to know that you have chosen a highly respected and trusted law group. While researching different attorneys, one group stood out among the rest because of the numerous posted rave reviews we read on Google. The Dellutri Law Group was a great experience from the first phone call right on through the whole process. Whenever we had a question, help was right there promptly. Special thanks to Carmen Dellutri, David Lampley, Gabriel Orozco, and Ronnie Fedorczyk for their help and caring attitudes.”

—B.B. GOOGLE REVIEW, AUGUST 2021



Spotlighting Midwest Food Bank!

As we gear up for the holidays and Thanksgiving is soon approaching, we thought it was a good time to spotlight one of our DLG Passion Projects, Midwest Food Bank.

You'll likely see many places collecting donations for food this season, and we think that is great! However, if you are looking to give back in another way, perhaps with your children or as a group, Midwest Food Bank is always looking for volunteers!

We encourage you to reach out to them and see how you can support their efforts. They have volunteer opportunities for families, teens, college students, and offices or organizations!

You can learn more about how you can assist them this holiday season by visiting MidwestFoodBank.org/volunteer/group-opportunities.



INGREDIENTS

- 1 1/2 cups warm water
- 1 tbsp salt
- 1 tbsp sugar
- 1 packet active dry yeast
- 4 1/2 cups flour
- 3 tbsp oil, divided
- 2/3 cup baking soda
- 2 eggs, beaten
- Coarse salt, for sprinkling

DIRECTIONS

1. In a bowl, combine water, salt, and sugar. Add yeast and let rest for 5 minutes. Add flour and 2 tbsp oil, then mix thoroughly into a dough.
2. Remove the dough from the bowl. Coat bowl with remaining oil, then return the dough, cover with plastic wrap, and set it aside in a warm place for 1 hour.
3. Preheat oven to 450 F.
4. Cut dough into 8 pieces. Roll them into thin ropes, then twist ropes into pretzel shapes.
5. In a large pot, boil water. Add baking soda, then boil each pretzel for 1 minute, flipping halfway through.
6. Transfer pretzels to a baking sheet. Brush them with egg and sprinkle with salt. Bake for 10-15 minutes. Enjoy!

THANK YOU!

A Huge Thank-You to Our Referral Partners!

Last month we had ...

- 40 referrals from friends, family, or previous clients
- 14 returning clients for a new matter
- 21 referrals from other attorneys
- 9 referrals from other professionals in town
- **We sent out 87 referrals**

What's the Good News?

*"Faith does not make
things easy, it makes
them possible."*

LUKE 1:37