

\$3.3 Million Miami Verdict: 'The Most Thrilling Victory I Have Ever Had'

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Lisa Willis

The case was “wild and woolly,” according to the lead attorney for the defendant.

And it hinged in part on successfully getting a secret recording admitted into evidence, despite Florida being a two-party consent state.

“She could have lost everything,” said Coral Gables’ attorney Paul McKenna of Paul A. McKenna and Associates, who represented Valerie Tasselli Mohamed in a case that ended Friday in favor of his client, awarding her \$3.3 million.

What started as a European drama more than 4,000 miles away played out in a Miami court amid accusations that led jurors to decide in favor of an ex-wife, concerning five South Florida condos purchased before the French couple’s divorce in 2014.

“My client, the daughter of wealthy French vineyard owners, was the victim of a horrible extortion to force her to give properties, bought for her by her parents, to the plaintiff,” McKenna said.

McKenna said he was happy the jury denied the ex-husband’s claim for damages for alleged extreme emotional distress.

“The plaintiff offered thousands of pages of documents and testimony from two attorneys, all for naught,” McKenna said. “This is the most thrilling victory I have ever had in my 42-year career.”

[Read the Jury Verdict Here and Affirmative Here](#)

‘This One May Be the Sweetest’

The attorney for the plaintiff, Christopher K. Leigh of Fort Lauderdale, did not return an email seeking comment on Friday’s verdict.

But the defense lauded the result.

“My client has been in therapy ever since, and [has been] declared medically disabled by the French government. She hired a bodyguard and police dog to protect her from the plaintiff,” McKenna said. “I’ve had some great wins before in criminal and civil cases, but this one may be the sweetest because my client was so broken by this man.”

McKenna’s firm tackles personal injuries, wrongful deaths, commercial business disputes involving fraud, real estate disputes, criminal cases, and condominium and homeowners association law.

“Preparation is the key. Be more prepared than your adversary, then let your experience and skill kick in. Try to deliver a simple, clear message, whether it is to a judge or a jury, and always display grace under pressure,” McKenna advises other attorneys.

2-Party Consent

Among the allegations in the complaint were two compelling iPhone videos McKenna’s client secretly recorded supporting threats to kill, rape, and sodomize his client and her mother in connection with the alleged extortion for the Miami condos.

Florida is a “two-party” consent state. This means that in Florida, with a few exceptions, all parties involved in private conversations must consent to the recording. This applies to conversations that occur both in-person and through an electronic device such as cell phones.

But in this case, there was an important nuance that had a big impact on the verdict, McKenna said—as the iPhone recording took place in France, but was still admissible in Miami-Dade court.

Florida Eavesdropping Laws

No objection was made to the videos or translations at trial.

McKenna said the plaintiff said his ex-wife illegally stripped him of his 50 percent share in two limited-liability companies, which would have granted him a stake of half of the real estate.

It came up in trial that the defendant’s father paid Mohamed €300,000 Euros, or about \$328,000, to “leave her alone” and renounce the two

limited-liability companies listed in the complaint, but the alleged “extortion,” according to court documents.

This \$328,000 became an affirmative defense, or “accord and satisfaction,” according to the defense, who entered a counterclaim for breach of contract.

“We claimed he signed a piece of paper promising to renounce the LLCs,” McKenna said. “He said it [was] forged.”

In arguing against that assertion, the defense hired renowned handwriting and ink experts to testify before the jury regarding the validity of the signatures.

McKenna said, “I told the jury ‘Close’ only counts in horseshoes and hand grenades.”