

BOARD RECORDS

ITEMS BEING HELD IN LOCK-UP

6/12/2017

BCC MEETING DATE		ITEM NO.	DESCRIPTION OF ITEM	DATE RELEASED AND AUTHORITY
1	1/28/2014	20	Consideration of Proposal for Settlement in the Case of Shannon Baker, as Personal Representative of the Estate of Andrew James Cavanaugh, Deceased, v. Board of County Commissioners, Pinellas County, Florida, State of Florida, Board of County Commissioners, Pinellas County, Florida, State of Florida, Department of Transportation, and Depositors Insurance Company Circuit Civil Case Number 10-16223-CI-15	JAP - cannot be released (duplicate of line #8)
2	12/2/2014	15	Recommendation to Reject Settlement in the Case of GCS Energy Recovery of Pinellas, Inc. v. Pinellas County Circuit Civil Case Nos. 2014-005220-CI-13 and 14-006566-CI-11	DSC/JAM - can be released (duplicate of line #13)
3	9/10/2015	31	Recommendation to Reject a Proposal for Settlement in the Case of The Richman Group of Florida, Inc. v. Pinellas County Circuit Civil Case No. 14-005608-CI-15.	NSM - cannot be released
4	1/12/2016	25	Proposal of Settlement served by the Plaintiff's counsel in the Case of Shannon Baker, as Personal Representative of the Estate of Andrew James Cavanaugh, Deceased, v. Board of County Commissioners, Pinellas County, Florida, State of Florida, Board of County Commissioners, Pinellas County, Florida, State of Florida, Department of Transportation, and Depositors Insurance Company Circuit Civil Case Number 10-16223-CI-15	JAP - cannot be released
5	4/11/2017	21	Proposed settlement in the case of Brighthouse Networks, LLC v. Pinellas County, et al. -Circuit Civil Case No. 10-005384-CI-07.	JAP - can be released (duplicate of line #8)
6	4/25/2017	34	Proposed settlement in the Case of GCS Energy Recovery of Pinellas, Inc., a Delaware Corporation v. Pinellas County, a Political Subdivision of the State of Florida - Circuit Civil Case Nos. 2014-005220-CI-13	DSC/JAM - can be released (duplicate of line #9)
7	4/25/2017	35	Proposed settlement in the case of Charles Allen v. Pinellas County; Worker' Compendation, Office of the Judges of Compensation Claims Case Number 16--21126SLR	KLV - cannot be released
8	6/6/2016	20	Proposed settlement in the case of Joseph Kranz and Kathryn Kranz v. Pinellas County - Circuit Civil Case No. 16-004021-CI-19 -inverse condemnation matter.	JAP - cannot be released
9	6/6/2016	21	Proposed settlement in the case of John Reyner and Monika Reyner v. Pinellas County - Circuit Court Case No. 14-001865-CI-19 - litigation in the stormwater pond known as Lake Sylvia.	NSM - cannot be released

Loy, Norman

From: Estrada, Sue M
Sent: Monday, July 03, 2017 10:18 AM
To: Loy, Norman
Subject: Lock-up Items
Attachments: 103228.xls

Attached as requested is an update to the most recent list of items currently being held in Board Records lock-up.

~ Sue

Susan M. Estrada, Assistant to
James L. Bennett, County Attorney and
Jewel White, Chief Assistant County Attorney
Pinellas County Attorney's Office
315 Court Street, 6th Floor
Clearwater, FL 33756
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Fax: (727) 464-4147
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All government correspondence is subject to the public records law.

From: Loy, Norman
Sent: Monday, June 12, 2017 8:12 AM
To: Estrada, Sue M <sestrada@co.pinellas.fl.us>
Subject: ITEMS BEING HELD IN LOCK-UP.xls

Hi Sue:

Please see the attached list of items being held in lockup and let me know if any of the items are available for release.

Thanks,

Norm

Norman D. Loy, C.P.M., B.A.M.
Manager, Board Records Department
Office of Ken Burke, Clerk of the Circuit Court and Comptroller
Pinellas County, Florida
315 Court St., 5th Floor, Clearwater, FL 33756
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Pinellas County

315 Court Street, 5th Floor
Assembly Room
Clearwater, Florida 33756

Staff Report

File #: 17-534A

Agenda Date: April 11, 2017

Subject:

Proposed settlement in the case of Bright House Networks, LLC v. Pinellas County, et al. – Circuit Civil Case No. 10-005384-CI-07.

Recommended Action:

Approval of the proposed settlement in the case of Bright House Networks, LLC v. Pinellas County, et al. - Circuit Civil Case No. 10-005384-CI-07.

Strategic Plan:

N/A

Summary:

This case arose from a construction project undertaken by Pinellas County through its General Contractor, Johnson Brothers-Misener Marine Joint Venture, to replace the Belleair Beach Causeway Bridge. On August 22, 2007, and again on August 8, 2008, during the course of the construction, the contractor struck the conduit through which ran the utility lines of Progress Energy and the Plaintiff, Bright House Networks, LLC. Bright House Networks, LLC brought this lawsuit against Pinellas County, Johnson Brothers-Misener Marine Joint Venture, Johnson Bros. Corporation, and Misener Marine Construction, Inc., for the damages alleged to have been caused by these strikes. Progress Energy (now Duke Energy) is not a party to this lawsuit. The case was tried in December 2015, and a verdict in favor of Pinellas County was handed down by the Court in February 2016.

As a result of the verdict, Pinellas County was determined to be entitled to an award of its attorneys' fees and costs. An order awarding Pinellas County its attorneys' fees and costs, in the total amount of \$170,602.85, was handed down in November 2016. Bright House Networks, LLC appealed the order awarding Pinellas County its attorneys' fees and costs to the Second District Court of Appeal.

Bright House Networks, LLC initiated settlement discussions in an effort to settle and compromise all claims presently pending, including its appeal of the order awarding Pinellas County its attorneys' fees and costs. As a result of those

settlement discussions, Bright House Networks, LLC has agreed to pay Pinellas County the total sum of \$165,000.00 to resolve all pending disputes and dismiss the appeal. Of this amount, \$90,750.00 will be payable directly to the County and \$74,250.00 will be paid to the law firm that represented the County for a portion of this litigation by virtue of the County contractor's insurance company assuming its defense.

Background Information:

N/A

Fiscal Impact:

Funds payable to Pinellas County - \$90,750.00

Staff Member Responsible:

James Bennett, County Attorney

John A. Powell, Jr., Sr. Assistant County Attorney

Partners:

N/A

Attachments:

N/A