

Loy, Norman

From: Estrada, Sue M
Sent: Wednesday, March 08, 2017 2:10 PM
To: Loy, Norman
Subject: Lock up Items Update
Attachments: 83183.xls

Please see the attached as requested. Let me know if you have any questions. Thanks.

~ Sue

Susan M. Estrada, Assistant to
James L. Bennett, County Attorney and
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Pinellas County

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

Staff Report

File #: 16-1074A, **Version:** 1

Agenda Date: 7/19/2016

Subject:

Proposed settlement in the case of James E. Parks v. Pinellas County; Circuit Civil Case No. 15-003435-CI-15 - allegations of negligence resulting in personal injuries and property damages.

Recommended Action:

Approval of the proposed mediated settlement in the case of James E. Parks v. Pinellas County - Circuit Civil Case No. 15-003435-CI-15.

Strategic Plan:

N/A

Summary:

The above-referenced case is being brought to the Board of County Commissioners for consideration in accordance with the confidential memorandum of July 19, 2016.

Background Information:

N/A

Fiscal Impact:

Unknown.

Staff Member Responsible:

James L. Bennett, County Attorney
John A. Powell, Jr., Sr. Assistant County Attorney

Partners:

N/A

Attachments:

N/A



Pinellas County

315 Court Street, 5th Floor
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Clearwater, Florida 33756

Staff Report

File #: 16-1074A

Agenda Date: July 19, 2016

Subject:

Proposed settlement in the case of James E. Parks v. Pinellas County – Circuit Civil Case No. 15-003435-CI-15 – allegations of negligence resulting in personal injuries and property damages.

Recommended Action:

Approval of the proposed mediated settlement in the amount of \$100,000.00 in the case of James E. Parks v. Pinellas County – Circuit Civil Case No. 15-003435-CI-15.

Strategic Plan:

N/A

Summary:

This lawsuit arises as a result of a motor vehicle/motorcycle accident, which occurred on April 24, 2014, at a red light on the southbound exit ramp at the intersection of US 19 and East Bay Drive. Plaintiff alleges that he was stopped at the red light behind two stopped vehicles when a Pinellas County water truck, operated by a Pinellas County employee, acting within the course and scope of her duties, traveling southbound on the exit ramp and approaching the red light and a stopped line of vehicles, failed to stop and collided with the rear of Plaintiff's motorcycle. Plaintiff alleges that the collision with the Pinellas County water truck caused personal injuries and property damages.

Plaintiff suffered herniations in his cervical and lumbar spine. After a conservative course of medical treatment, Plaintiff underwent a series of epidural spinal injections that failed to alleviate his pain. He then underwent two decompression surgical procedures, one to his cervical spine and one to his lumbar spine. His physicians have opined that should his cervical and lumbar pain continue unabated, additional surgical procedures, to include one or more spinal fusion procedures, would be recommended. Medical bills total approximately \$120,000.00. Property damages have not been quantified. Wage losses of \$170.00 per week for the

period of time that the Plaintiff was unable to work as a result of his injuries and resulting medical care were also claimed. For the purposes of facilitating the mediation conference, the parties agreed not to consider property damages or lost wages. Such losses were not waived for the purposes of trial but only to facilitate the quantification of damages for the purpose of the mediation conference.

As part and parcel to this negotiated settlement, Plaintiff will execute a release of all claims against Pinellas County and voluntarily dismiss the above-referenced lawsuit with prejudice.

Risk, County Administration and County Attorney staff met and reached the conclusion to recommend that the Board of County Commissioners accept this mediated settlement in the amount of \$100,000.00.

Background Information:

N/A

Fiscal Impact:

\$100,000.00

Staff Member Responsible:

James L. Bennett, County Attorney

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

Partners:

N/A

Attachments:

N/A

BOARD RECORDS

ITEMS BEING HELD IN LOCK-UP

10/25/2016

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 - do not remove
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 - do not remove
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 - do not remove
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 - do not remove
5	4/12/2016	19	Offer of settlement in the case of Linda Holbrook v. Pinellas County - Sixth Judicial Circuit Case No. 15-003952-CI-21	JAP - okay to release <i>6/6/16</i>
6	5/24/2016	20	Approval to accept an offer of settlement in the case of Paul Hanson v. Pinellas County - Circuit Civil Case No. 15-006299-CI.	JAP - okay to release <i>3/8/17</i>
7	7/19/2016	28	Proposed settlement in the case of James E. Parks v. Pinellas County; Circuit Civil Case No. 15-003435-CI-15 - allegations of negligence resulting in personal injuries and property damages.	JAP - okay to release <i>3/8/17</i>
8	7/19/2016	29	Proposed settlement in the case of Frank Brinson v. Pinellas County; Workers' Compensation, Office of the Judges of Compensation Claims Case Number 16-010037SLR.	KLV - okay to release <i>3/8/17</i>
9	10/25/2016	25	Settlement offer in the case of Roderick Fordham v. Pinellas County Sheriff's Office/Pinellas County Risk Management - Workers' Compensation Case No. 14-023702SLR.	NSM - okay to release <i>3/8/17</i>