

**Loy, Norman**

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**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

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# Pinellas County

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

## Staff Report

**File #:** 16-1123A, **Version:** 1

**Agenda Date:** 7/19/2016

**Subject:**

Proposed settlement in the case of Frank Brinson v. Pinellas County; Workers' Compensation, Office of the Judges of Compensation Claims Case Number 16-010037SLR.

**Recommended Action:**

Approval of the proposed settlement in the case of Frank Brinson v. Pinellas County - Workers' Compensation, Office of the Judges of Compensation Claims Case Number 16-010037SLR.

**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  
Kelly L. Vicari, Assistant County Attorney

**Partners:**

N/A

**Attachments:**

N/A



## Pinellas County

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

### Staff Report

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**File #:** 16-1123A

**Agenda Date:** July 19, 2016

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**Subject:**

Proposed settlement in the case of Frank Brinson v. Pinellas County; Workers' Compensation, Office of the Judges of Compensation Claims Case Number 16-010037SLR.

**Recommended Action:**

Approval of the proposed settlement in the amount of \$80,000.00 in the case of Frank Brinson v. Pinellas County; Workers' Compensation, Office of the Judges of Compensation Claims Case Number 16-010037SLR.

**Strategic Plan:**

N/A

**Summary:**

Claimant was hired by Pinellas County on October 9, 1991, and currently holds the title of Craftworker, Detention Services/Real Estate Management. On December 18, 2002, he injured his lower back moving file cabinets at work. Pinellas County has paid for Claimant's treatment under workers' compensation, the cost of which totals \$191,267.14 to date.

Since 1993, Claimant has reported 23 work-related incidents involving injury. The County has expended \$253,122.72 to date for all 23 incidents combined.

Claimant was referred to a fitness for duty exam on April 25, 2016, and was found to be fit for duty on April 28, 2016. Subsequent thereto, he was hospitalized for unknown reasons. Claimant returned to full-duty employment on June 12, 2016.

On May 10, 2016, Claimant filed a Petition for Benefits seeking total disability benefits during the time he was out of work.

Claimant made an initial offer of \$125,000.00 for a washout settlement of this claim, meaning that Pinellas County would no longer provide medical or indemnity benefits in connection with his December 18, 2002 accident.

Claimant is 64 years old, and therefore Medicare eligible within the next 30 months. Because the County may not shift the burden of payment for a workers' compensation covered injury to Medicare, a Medicare Set-Aside (MSA) was obtained. Pursuant to the MSA, it is recommended that \$33,433.11 be allocated for annuity seed money.

As part and parcel to this negotiated settlement, Plaintiff will voluntarily resign from employment with Pinellas County; execute a general release of all claims against Pinellas County; dismiss the Petition for Benefits; agree to the proposed washout of the December 18, 2002 claim; and agree to allocate \$33,433.11 of the settlement funds to an annuity.

Risk, County Administration and County Attorney staff met and reached the conclusion to recommend that the Board of County Commissioners accept this settlement in the amount of \$80,000.00.

**Background Information:**

N/A

**Fiscal Impact:**

\$80,000.00

**Staff Member Responsible:**

James L. Bennett, County Attorney  
Kelly L. Vicari, 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>