



## Pinellas County

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

### Staff Report

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**File #: 16-471A**

**Agenda Date: 4/12/2016**

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**Subject:**

Offer of settlement in the case of Linda Holbrook v. Pinellas County 0 Sixth Judicial Circuit Case No. 15-003952-CI-21.

**Recommended Action:**

Approval to accept an offer of settlement in the case of case of Linda Holbrook v. Pinellas County - Sixth Judicial Circuit Case No. 15-003952-CI-21. – allegations of negligence resulting in personal injuries

**Strategic Plan:**

N/A

**Summary:**

This is a personal injury action arising from a motor vehicle collision, which occurred on July 19, 2014, at the intersection of West Bay Drive and Clearwater-Largo Road, Largo, FL. A County employee, who was driving a Pinellas County pickup truck at the time, rear-ended Plaintiff's, Ms. Holbrook's, automobile.

Ms. Holbrook's vehicle sustained \$3,420.89 in property damage. Ms. Holbrook alleges medical expenses in excess of \$65,000.00, including a surgery to install a spinal cord stimulator and then a second procedure to remove same. Ms. Holbrook claims an unspecified amount for wage losses.

Pinellas County's Risk Management Department has paid \$9,155.43 to Plaintiff's auto insurer to reimburse for medical payments made by the insurer on its insured's behalf, as well as repairs for property damage and rental car charges. Accordingly, there is a \$190,844.52 balance remaining on the statutory cap limits on Plaintiff's claim.

Plaintiff settled her claim against her Underinsured Motorist insurance carrier, Amica Mutual Insurance Company ("Amica"), in the amount of \$325,000.00, payable in the amount of \$225,000.00 in cash, and \$100,000.00 to purchase an annuity to the benefit of Plaintiff. In exchange for this settlement, Plaintiff agreed to permit Amica to pursue its subrogation claim in the name of the Plaintiff. The subrogation claim was initially for

the balance of the statutory cap; however, negotiations resulted in an agreed upon settlement amount of \$165,000.00.

As part and parcel to this negotiated settlement with Amica, both Amica and 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 have met and reached the conclusion to recommend that the Board of County Commissioners accept this offer of settlement for \$165,000.00.

**Background Information:**

N/A

**Fiscal Impact:**

\$165,000.00

**Staff Member Responsible:**

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

**Partners:**

N/A

**Attachments:**

N/A

## Loy, Norman

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**From:** Estrada, Sue M  
**Sent:** Monday, June 06, 2016 1:41 PM  
**To:** Loy, Norman  
**Cc:** Young, Bernie C  
**Subject:** RE: ITEMS BEING HELD IN LOCK-UP.xls  
**Attachments:** 45254.xls

Norm:

Attached is an updated version regarding items being held in lock-up. Thanks.

~ Sue

*All government correspondence is subject to the public records law.*

**From:** Loy, Norman  
**Sent:** Thursday, May 26, 2016 4:58 PM  
**To:** Estrada, Sue M <sestrada@co.pinellas.fl.us>  
**Subject:** RE: ITEMS BEING HELD IN LOCK-UP.xls

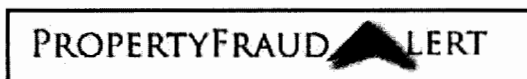
Hi Sue:

Could you please have the attached list reviewed and let me know if any of these items can be released for public view.

Thanks,

**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  
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(727) 464-3463 | Fax (727) 464-4716  
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**BOARD RECORDS**

**ITEMS BEING HELD IN LOCK-UP**

6/6/2016

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 - Cannot be released
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 - Cannot be released
3	2/10/2015	21	Recommendation to Reject The Proposal for Settlement in the Case of Monja Djordic v. County of Pinellas, Circuit Civil Case No. 14-2446-CI-8	NSM - Can be released 6/6/2016
4	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
5	10/20/2015	28	Approval to reject proposal for settlement in the case of Linda Holbrook v. Pinellas County. Sixth Judicial Circuit, Case Number 15-003952-CI-21.	JAP - Can be released 6/6/2016
6	12/15/2015	25	Approval to reject the settlement demand in the case of Rebecca Meeker v. Steeplechase Townhomes Owners' Assn., Inc. and Pinellas County - Circuit Civil Case No. 13-004929-CI-8.	NSM - Can be released 6/6/2016
7	1/12/2015	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
8	4/12/2016	19	Approval to accept an offer of settlement in the case of Linda Holbrook v. Pinellas County - Sixth Judicial Circuit Case No. 15-003952-CI-21 - allegations of negligence resulting in personal injuries.	JAP - Can be released 6/6/2016
9	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 - Cannot be released