



Pinellas County

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

Staff Report

#38

File #: 19-1654A

Agenda Date: 10/8/2019

Subject:

Proposed settlement in the case of Constance Smith and Todd Smith v. Pinellas County; Circuit Civil Case No. 18-001925-CI-20 – allegations of negligence resulting in personal injuries.

Recommended Action:

Approve the proposed settlement of \$100,000.00 in the case of Constance Smith and Todd Smith v. Pinellas County; Circuit Civil Case No. 18-001925-CI-20.

Strategic Plan:

N/A

Summary:

On March 22, 2017, Plaintiff Constance Smith was on her way to work at the Pinellas County Justice Center in Clearwater when she tripped over a raised paver tile outside of the main entrance of the courthouse. Plaintiff suffered injuries requiring a surgery to insert medical hardware, which may require subsequent removal. Plaintiff complains of ongoing pain and discomfort. Plaintiff incurred a medical lien in the amount of \$23,779.02 as a result of this accident. Her husband, Plaintiff Todd Smith, alleges damages as a result of loss of care due to Plaintiff's injuries.

At a mediation conference held September 6, 2019, the parties, their representatives, and counsel reached a conditional settlement agreement that would resolve all claims, and potential claims. If approved, Pinellas County will pay Plaintiffs, jointly, the sum of \$100,000.00 in exchange for releases for any and all claims that may arise from the underlying incident to which Plaintiffs' lawsuit is based. Risk Management and the County Attorney's Office concur in this settlement recommendation.

Background Information:

On June 5, 2018, the Board was provided notice of this lawsuit under Legistar item no. 18-706A.

Fiscal Impact:

Total amount to be paid by Pinellas County is \$100,000.00.

Staff Member Responsible:

Jewel White, County Attorney

Christy Donovan Pemberton, Managing Assistant County Attorney

Ashley N. Donnell, Assistant County Attorney

Merry Celeste, Director of Purchasing and Risk Management

Partners:

N/A

Attachments:

N/A



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Staff Report

#39

File #: 19-1654A, **Version:** 1

Agenda Date: 10/8/2019

Subject:

Proposed settlement in the case of Constance Smith and Todd Smith v. Pinellas County; Circuit Civil Case No. 18-001925-CI-20.

Recommended Action:

Consideration of the proposed settlement in the case of Constance Smith and Todd Smith v. Pinellas County; Circuit Civil Case No. 18-001925-CI-20.

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 October 8, 2019.

Background Information:

N/A

Fiscal Impact:

N/A

Staff Member Responsible:

Jewel White, County Attorney
Christy Donovan Pemberton, Managing Assistant County Attorney
Ashley N. Donnell, Assistant County Attorney
Merry Celeste, Director of Purchasing and Risk Management

Partners:

N/A

Attachments:

N/A