

STORAGE NAME: h3051.cjc

DATE: March 31, 1998

**Florida House of Representatives
Committee on Civil Justice & Claims
Summary Claim Bill Reports**

Bill #: HB 3051
Sponsor(s): Representative Miller
Reference: Civil Justice & Claims
Companion Bill(s): SB 52 by Senator Grant

A. Basic Information

- 1. Claimant:** Jemal Kurein & Family
- 2. Respondent:** City of Tampa
- 3. Amount Requested:** \$290,930.30
- 4. Type of Claim:** EXCESS JUDGMENT/SETTLEMENT
- 5. Respondent's Posture:** The City has agreed to the claim bill amount.
- 6. Collateral Sources:** None apparent. Mr. Kurein's medical and rehabilitation costs have been paid by Medicaid and the Department of Vocational Rehabilitation, both of which have asserted liens.
- 7. Prior Legislative History:** None.

B. Procedural Summary: A negligence action was filed, and after a two-week trial, the jury rendered a verdict in the amount of \$4,700,000, allocating 10 percent of the fault to the City of Tampa and 90 percent of the fault to Mr. Kurein. Based on the jury's allocation of fault, a judgment was entered in the amount of \$490,930.30. The Second District Court of Appeal affirmed the verdict and judgment, and the City of Tampa paid \$200,000, thus satisfying its statutory obligation. A claim bill was filed, and during the claim bill process the parties reached a settlement, with both parties agreeing to support the claim bill for the full amount of \$290,930.30.

C. Facts of the Case: In July of 1993, Jemal Kurein received catastrophic brain damage when the cab that he was driving struck a City of Tampa fire truck that had run a red light. Mr. Kurein's cab was entering an intersection on a green light. Mr. Kurein, the father of two minor children, sustained massive brain damage and now has an IQ of 56.

SM: _____ **LRD:** _____ **Date:** March 9, 1998
Richard Hixson Richard Hixson