

STORAGE NAME: h3085a.cjc
DATE: March 17, 1998

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

Bill #: HB 3085
Sponsor(s): Representative Healey
Reference: Civil Justice & Claims
Companion Bill(s): SB 58 by Senator Meadows

A. Basic Information

1. **Claimant:** Kimberly Gonzalez
2. **Respondent:** Palm Beach County Sheriff's Department
3. **Amount Requested:** Original Bill Amount - \$95,406
Settlement Amount - \$71,790.67
4. **Type of Claim:** EXCESS JUDGMENT/SETTLEMENT
5. **Respondent's Posture:** The Sheriff's Department has agreed to the settlement.
6. **Collateral Sources:** None apparent.
7. **Prior Legislative History:** None.

B. Procedural Summary: A lawsuit was filed and a jury trial was held in October of 1996. At trial, the Sheriff's Department admitted liability for the accident and the jury returned a verdict of \$195,406 with regard to the claimant's damages. The Sheriff's Department did not appeal the verdict and has paid its statutory obligation of \$100,000. A claim bill was filed, and during the claim bill process, the parties agreed to a reduced claim bill in the amount of \$71,790.67.

C. Facts of the Case: Kim Gonzalez was 29 years old when her car was hit from behind by a Sheriff's vehicle while Kim was taking a right turn into a gas station. The collision caused her neck to twist and resulted in a herniated disc, which has required surgeries, including the insertion of a metal plate and six screws. Claimant continues to experience neck pain, headaches, and trembling hands.

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