

STORAGE NAME: h0303.jud
DATE: March 1, 2003

Florida House of Representatives
Sub-Committee on Claims
Summary Claim Bill Report

Bill #: HB 303
Sponsor: Rep. Prieguez
Companion Bill: SB 36 by Sen. Diaz de la Portilla
Special Master: Stephanie Birtman, Esq.

A. Basic Information:

1. **Claimants:** Jonathon Snell (age 6) and Erika Dorsey Snell (age 7).
2. **Respondent:** Miami-Dade County
3. **Amount Requested:** \$300,000 for Jonathon and \$37,000 for Erika, for a total of \$337,000.
4. **Type of Claim:** Equitable, based on a settlement agreement.
5. **Respondent's Position:** The County has agreed to support the claim bill.
6. **Collateral Sources:** None.
7. **Prior Legislative History:** None.
8. **Attorney's Fees and Costs:** Attorney's fees are limited to 25% pursuant to s. 768.28, F.S.; costs total \$41,783.08, not including lobbying fees.

B. Procedural Summary: A lawsuit for damages was filed by the children's natural mother and guardian, Latisha Snell. Prior to trial, the case was settled during a second mediation. The total settlement was for \$537,000 (\$400,000 for Jonathon and \$137,000 for Erika); \$200,000 has already been paid. The remaining funds are to be paid out of the Miami-Dade Transit Authority budget.

C. Facts of Case: Jonathon Snell (then aged 2) and Erika Dorsey Snell (then aged 3) were waiting for a county bus with their aunt and another sibling. The aunt attempted to board the bus at an unauthorized bus stop and was denied entry. The bus then attempted to make a right turn. During the turn the right rear wheels of the bus went over the curb and over the legs of Jonathon and Erika, who were sitting on the curb of the grassy median. As a result of the accident, Jonathon's left leg was crushed below the knee necessitating numerous surgeries. His left leg is currently 8mm longer than the right leg. Erika suffered fractures to both legs and was placed in a body cast; it appears that her injuries have completely healed and no further surgeries are expected.

SM: _____
Stephanie O. Birtman

Date: _____