

20124e1

1 A bill to be entitled
2 An act for the relief of Eric Brody by the Broward
3 County Sheriff's Office; providing for an
4 appropriation to compensate Eric Brody for injuries
5 sustained as a result of the negligence of the Broward
6 County Sheriff's Office; providing a limitation on the
7 payment of fees and costs related to the claim against
8 the Broward County Sheriff's Office; providing
9 legislative intent regarding lien interests held by
10 the state; providing an effective date.

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12 WHEREAS, on March 3, 1998, Eric Brody was driving home in
13 his 1982 AMC Concord eastbound on Oakland Park Boulevard in
14 Sunrise, Florida, and

15 WHEREAS, that same evening, Broward County Sheriff's Deputy
16 Christopher Thieman was driving his Broward County Sheriff's
17 Office cruiser on his way to work, and

18 WHEREAS, Deputy Thieman struck Eric Brody's car, leaving
19 Eric profoundly injured, and

20 WHEREAS, the case was tried to a jury and the court
21 rendered a final judgment of \$30,879,670.30, and

22 WHEREAS, the parties have reached a settlement in the
23 amount of \$10,750,000, with other terms of value, and \$200,000
24 has been paid pursuant to the limits of liability set forth in
25 s. 768.28, Florida Statutes, NOW, THEREFORE,

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27 Be It Enacted by the Legislature of the State of Florida:

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29 Section 1. The facts stated in the preamble to this act are

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30 found and declared to be true.

31 Section 2. The insurer of the Sheriff of Broward County has
32 agreed to, and is authorized and directed to pay \$10,750,000 on
33 behalf of the Broward County Sheriff's Office to the
34 Guardianship of Eric Brody as compensation by the Broward
35 Sheriff's Office and its insurer, Fairmont Specialty Insurance
36 Company, f/k/a Ranger Insurance Company, for injuries brought
37 about by the facts set forth in the preamble of this act.

38 Section 3. This award is the sole compensation for all
39 present and future claims, including all attorney fees, lobbying
40 fees, and related costs, arising out of the factual situation
41 described in this act which resulted in the injuries to Eric
42 Brody, and hereby releases the Broward County Sheriff's Office
43 and Fairmont Specialty Insurance Company, f/k/a Ranger Insurance
44 Company, the Broward County Board of County Commissioners,
45 Broward County, and Christopher Thieman from any further
46 liability. The total amount of attorney fees, lobbying fees, and
47 related costs may not exceed 25 percent of the total amount
48 awarded under this act. The attorney fees, lobbying fees and
49 related costs are to be paid to and for the benefit of the
50 Guardianship's representatives registered pursuant to s. 11.045,
51 Florida Statutes.

52 Section 4. It is the intent of the Legislature that all
53 lien interests relating to the claim of the Guardianship of Eric
54 Brody and the treatment and care of Eric Brody, including
55 Medicaid liens and any charging lien in excess of the sovereign
56 immunity cap, are hereby waived or extinguished.

57 Section 5. This act shall take effect upon becoming a law.