

20124e2

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 pay, and is authorized and directed to pay,
33 \$10,750,000 on behalf of the Broward County Sheriff's Office to
34 the Guardianship of Eric Brody to be placed in a special needs
35 trust created for the exclusive use and benefit of Eric Brody as
36 compensation by the Broward County Sheriff's Office and its
37 insurer, Fairmont Specialty Insurance Company, f/k/a Ranger
38 Insurance Company, for injuries brought about by the facts set
39 forth in the preamble of this act.

40 Section 3. The amount awarded under this act is intended to
41 provide the sole compensation for all present and future claims,
42 including all attorney fees, lobbying fees, and related costs,
43 arising out of the factual situation described in this act which
44 resulted in the injuries to Eric Brody, and hereby releases the
45 Broward County Sheriff's Office and Fairmont Specialty Insurance
46 Company, f/k/a Ranger Insurance Company, the Broward County
47 Board of County Commissioners, Broward County, and Christopher
48 Thieman from any further liability. No part of the amount
49 awarded under this act may be used toward the payment of
50 attorney fees, lobbying fees, costs, or other similar expenses
51 incurred on behalf of the Guardianship of Eric Brody in pursuit
52 of this claim or the related underlying litigation.

53 Section 4. It is the intent of the Legislature that the
54 lien interests relating to the claim of the Guardianship of Eric
55 Brody for the treatment and care of Eric Brody, including
56 Medicaid liens, are hereby waived or extinguished.

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