



Broward County

Legislation Text

File #: 21-1791, Version: 1

Broward County Commission Regular Meeting

Director's Name: Andrew J. Meyers

Department: County Attorney

Information

Requested Action

MOTION TO APPROVE settlement, including costs and attorney's fees, in the case of *Miriam Martinez vs. Broward County*, 17th Judicial Circuit Court Case No. CACE13-025710 (04).

Why Action is Necessary

Board approval is necessary to resolve this pending lawsuit.

What Action Accomplishes

Settlement of pending litigation.

Is this Action Goal Related

No

Previous Action Taken

Summary Explanation/Background

On August 3, 2012, Plaintiff Miriam Martinez was a passenger who fell on a Broward County bus when the bus suddenly accelerated. The Plaintiff filed a negligence action against the County alleging the incident caused her serious injuries. The Plaintiff has undergone substantial medical treatment subsequent to the incident, including surgery. Her medical expenses, to date, are \$194,282.64.

The Plaintiff has agreed to release Broward County from all claims arising from the incident in exchange for \$95,000.00, which includes costs and attorney's fees, subject to Board approval.

The Risk Management Division and Transit Division recommend approval of this settlement.

Source of Additional Information

Robert D. Yates, Assistant County Attorney, 954-357-7600

Fiscal Impact

Fiscal Impact/Cost Summary

The source of funds is the County's general liability self-insurance fund. Agencies of the County pay annual premiums into the fund based upon the number of their employees and five-year claims history.