



Broward County

Legislation Details (With Text)

File #: 22-1323 **Version:** 1

Status: Agenda Ready

In control: County Attorney

On agenda: 9/8/2022 **Final action:** 9/8/2022

Title: MOTION TO APPROVE settlement, including costs and attorney's fees, in the case of Winton Ward vs. Broward County, 17th Judicial Circuit Court Case No. CACE20-010965 (02).

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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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 *Winton Ward vs. Broward County*, 17th Judicial Circuit Court Case No. CACE20-010965 (02).

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 July 20, 2019, Plaintiff Winton Ward was riding his bicycle on the sidewalk towards a bus stop located on Broward Boulevard and NW 11th Avenue in Fort Lauderdale. As the Plaintiff approached the bus stop, a Broward County bus arrived, and the bus operator started lowering the wheelchair ramp to load a disabled passenger in a wheelchair. The Plaintiff alleges the ramp struck his head and right shoulder, knocking him off his bicycle. The Plaintiff filed a negligence action against the County alleging the incident caused him serious injuries. The Plaintiff has undergone substantial medical treatment after the incident, including three surgeries. His medical expenses, to date, are

\$321,091.52.

The Plaintiff has agreed to release Broward County from all claims arising from the incident in exchange for \$125,000.00, 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.