



# Broward County

## Legislation Text

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File #: 21-1791, Version: 1

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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 *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.