



Broward County

Legislation Details (With Text)

File #: 20-380 **Version:** 1

Status: Agenda Ready

In control: County Attorney

On agenda: 2/25/2020 **Final action:** 2/25/2020

Title: MOTION TO APPROVE settlement, including costs and attorney's fees, and dismissal of counterclaims in the case of Myriam Gaona vs. Broward County, 17th Judicial Circuit Court Case No. CACE17-013515 (05).

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, and dismissal of counterclaims in the case of Myriam Gaona vs. Broward County, 17th Judicial Circuit Court Case No. CACE17-013515 (05).

Why Action is Necessary

Board approval is necessary to resolve this pending lawsuit.

What Action Accomplishes

Settles pending litigation.

Is this Action Goal Related

No

Previous Action Taken

Summary Explanation/Background

On November 8, 2015, Plaintiff Myriam Gaona, while driving her vehicle, was involved in a serious motor vehicle accident with a Broward County truck. The impact of the collision caused serious injuries to both the Plaintiff and her sister. The Plaintiff sustained multiple fractures to her ankle, ribs, and spine. The Plaintiff has undergone substantial medical treatment, including surgery. Her medical expenses, to date, are \$166,461.66.

The Plaintiff has agreed to release Broward County from all claims arising from this accident in exchange for \$125,000, which includes attorney's fees and costs, and the County's dismissal of its counterclaims, subject to Board approval.

The Risk Management Division concurs with and recommends 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.