

By Senator Campbell

33-102A-98

1 A bill to be entitled
2 An act providing for the relief of Triesa
3 Wells; providing for an appropriation to
4 compensate Triesa Wells for injuries sustained
5 as a result of the negligence of an employee of
6 the City of Pembroke Pines; providing an
7 effective date.

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9 WHEREAS, on December 10, 1993, Triesa Wells sustained
10 catastrophic injuries as a result of a motor-vehicle accident
11 at the intersection of S.W. 114th Avenue and Pines Boulevard
12 in Pembroke Pines, Florida, and

13 WHEREAS, at the time of the accident, Ms. Wells was
14 operating her motor vehicle in a northbound direction on S.W.
15 114th Avenue, and

16 WHEREAS, she had a green light and was proceeding
17 through the intersection when her vehicle was hit by a City of
18 Pembroke Pines police vehicle that was traveling eastbound on
19 Pines Boulevard and ran the red light at the intersection of
20 Pines Boulevard and S.W. 114th Avenue, and

21 WHEREAS, liability on the part of the City of Pembroke
22 Pines was clear, in that the officer violated several Florida
23 Statutes as well as several policies and procedures of the
24 Pembroke Pines Police Department, and

25 WHEREAS, Triesa Wells was airlifted from the scene of
26 the accident to the trauma unit at Memorial Hospital in
27 Hollywood, and

28 WHEREAS, upon Ms. Wells' arrival at the hospital, she
29 was ranked on the Glasgow Coma Scale at a value of 10, and

30 WHEREAS, according to Dr. Lawrence Lottenberg, the
31 Director of Trauma Services at Memorial Hospital, Triesa Wells

1 was near death upon her arrival; she had severe hemorrhaging
2 and was breathing 44 times a minute, which, according to Dr.
3 Lottenberg, is an indication that her breathing was about to
4 stop, and

5 WHEREAS, she sustained a comminuted left femur
6 fracture, left sacral fracture, bilateral superior/inferior
7 ramifractures, and mild closed-head injuries, as well as
8 injuries to her body as a whole, and

9 WHEREAS, during Ms. Wells' hospitalization, she
10 required approximately 25 pints of blood, underwent major
11 orthopedic surgery, developed pulmonary emboli, went into
12 respiratory arrest, and required the insertion of a vena cava
13 filter, and

14 WHEREAS, in addition to the orthopedic injuries
15 sustained by Triesa Wells, she sustained a brain contusion and
16 9 or 10 shattered teeth, and had significant permanent
17 scarring and disfigurement in both her buttocks and left leg,
18 and

19 WHEREAS, every physician who has treated Ms. Wells for
20 the injuries sustained in this accident has indicated that she
21 sustained permanent injuries and impairment as a result of the
22 accident, and

23 WHEREAS, Triesa Wells' medical bills in this case
24 exceed \$180,000 in connection with the care and treatment she
25 has received for injuries resulting from the motor vehicle
26 accident of December 10, 1993, and

27 WHEREAS, Ms. Wells had been an employee of the Dade
28 County and Broward County School Boards since 1986, and

29 WHEREAS, from August 1991 through November 1993, she
30 was employed as a part-time clerk at \$5.50 per hour, and

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1 WHEREAS, she had stopped work approximately a month
2 before this accident and anticipated returning to the school
3 board in September 1994, when her daughter, Jennifer, started
4 middle school, and

5 WHEREAS, as a result of the injuries that she
6 sustained, Ms. Wells has not returned to work since the
7 accident, and

8 WHEREAS, plaintiffs settled their case with the owner
9 of the vehicle driven by Regina Walker for her bodily injury
10 policy limits of \$10,000 and also recovered compensation in
11 the amount of \$20,000 from Allstate, the carrier of their own
12 uninsured-motorist coverage, and

13 WHEREAS, a lawsuit was filed against the City of
14 Pembroke Pines after the appropriate 6-month period had
15 elapsed in accordance with section 768.28, Florida Statutes,
16 and

17 WHEREAS, the City of Pembroke Pines has paid the
18 statutory limits of \$200,000 in connection with the companion
19 case of Randy Warren, which arose out of the same accident,
20 and

21 WHEREAS, the parties to this action, Triesa Wells and
22 her husband, John, and the City of Pembroke Pines, have agreed
23 to the submission of a claim bill in the amount of \$499,000,
24 NOW, THEREFORE,

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26 Be It Enacted by the Legislature of the State of Florida:

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28 Section 1. The facts stated in the preamble to this
29 act are found and declared to be true.

30 Section 2. The City of Pembroke Pines is authorized
31 and directed to appropriate and to draw in favor of Triesa

1 Wells a warrant in the amount of \$499,000 to compensate her
2 for injuries sustained as a result of the negligence of an
3 employee of the city.

4 Section 3. This act shall take effect July 1, 1998.
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