

Florida House Of Representatives
Committee on Civil Justice & Claims

Bill #: HB 653
Sponsor(s): Representative's Lawson and Turnbull
References: Civil Justice & Claims;
Companion Bill(s): SB 1504

A. Basic Information

1. **Claimant:** Dena Sheryl Steels
2. **Respondent:** City of Tallahassee
Leon County School Board
3. **Amount Requested:** \$200,000
4. **Type of Claim:** SETTLEMENT of excess judgment claim
5. **Respondent's Posture:** Both respondents concur in claim
6. **Collateral Sources:** None apparent
7. **Prior Legislative History:** None

B. Procedure Summary: The claimant filed a wrongful death claim against the City of Tallahassee and the Leon County School Board seeking damages resulting from the death of her eight year-old son in June 1992. The case went to circuit court mediation on April 18, 1996. As a result of mediation, the parties entered into a Settlement Agreement for a total amount of \$400,000, of which the parties have paid \$150,000 to the claimant and \$50,000 to the decedent's father. The parties further agreed to submit the remaining excess \$200,000 of the settlement to the Legislature for approval of a claim bill. Each respondent agreed to pay \$100,000 in satisfaction of the claim.

C. Facts of the Case: On June 12, 1992, claimant's son Kenny Pyles, then age eight, was playing with a group of children on the grounds of the Belle Vue Middle School in Tallahassee, Florida. The children were playing in an area where water had collected after a rain storm over a drainage culvert that was not covered by a grate. Kenny Pyles was sucked into the culvert by an under-current created by the drainage of the rainwater. Kenny Pyles was dragged several hundred feet into the drainage system and drowned.

Legislative Research Specialist: _____ **Date:** April 14, 1997

Richard Hixson