

STORAGE NAME: h2175.cla

DATE: April 8, 1999

HOUSE OF REPRESENTATIVES
AS REVISED BY THE COMMITTEE ON
CLAIMS
ANALYSIS

Bill #: HB 2175 (formerly PCB CL 99-09a)

Sponsor: Claims Committee

Reference:

Companion Bill: None.

A. Basic Information:

1. Claimants:

William D. Mock and Susan G. Mock

2. Respondent:

St. John's County.

3. Amount Requested:

\$170,000.

4. Type of Claim:

Settlement.

5. Respondent's Position:

Agree to settlement. Both parties agreed to request that the effective date of the bill be changed to October 1, 1999.

6. Collateral Sources:

None.

7. Prior Legislative History:

None.

B. Procedural Summary: William D. and Susan G. Mock, husband and wife, sued St. John's County for damages sustained as a result of an accident between a St. John's County ambulance and the motorcycle driven by Mr. Mock. Prior to trial the parties entered into a stipulated settlement resulting in a Consent Order entered by the Court on November 24, 1998. The settlement requires St. John's County to pay Mr. and Mrs. Mock the sum of \$360,000 as compensation for Mr. Mock's injuries and for loss of consortium. The county has already paid \$190,000 of the settlement, leaving \$170,000 to be paid pursuant to the claims bill.

C. Facts of Case: Mr. Mock and a friend were driving their motorcycles through an intersection with a green light. Unbeknownst to him, a St. John's County ambulance traveling in the opposite direction was making a left hand turn across traffic, and in front of Mr. Mock. Both motorcycles crashed into the ambulance, causing the death of one driver, and permanent brain damage to Mr. Mock. The ambulance driver was in apparent violation of s. 316.072, F.S., which allows the driver of an emergency vehicle to disregard traffic regulations as long as the driver does not endanger life or property. Mr. Mock was in apparent violation of s. 316.126, F.S., which requires drivers to yield to emergency vehicles. Prior to the accident, Mr. Mock was a high level human resources consultant. As a result of the accident, Mr. Mock suffers permanent brain damage, blindness in one eye, and the permanent loss of the senses of smell and taste.

SM: _____ SD: _____ Date: _____
Stephanie O. Birtman Stephanie O. Birtman