

STORAGE NAME: h939.cla
DATE: March 10, 1999

**Florida House of Representatives
Committee on Claims
Summary Claim Bill Report**

Bill #: PCB CL 99-01 (HB 939)
Sponsor: Claims Committee
Reference:
Companion Bill: SB 6 by Senator Forman

A. Basic Information:

1. Claimants:

Ana Quintana-Marquez and Juan Marquez

2. Respondent:

Miami-Dade County (f/k/a Metropolitan Dade County)

3. Amount Requested:

\$375,000

4. Type of Claim:

Settlement

5. Respondent's Position:

Agreed to settlement

6. Collateral Sources:

Insurer, which has right to reimbursement, has been reimbursed from funds already paid to claimant Quintana-Marquez by the county.

7. Prior Legislative History:None.

B. Procedural Summary: Mrs. Quintana-Marquez and her husband, Mr. Marquez, sued the county for damages relating to injuries she sustained in an accident with a county police car. Prior to the scheduled trial date, the parties submitted the matter to mediation and entered into a settlement agreement, which resulted in the entry of a consent judgment against the county in the amount of \$575,000 on June 2, 1998. The county has already paid the first \$200,000 of the total to the claimants.

C. Facts of Case: Mrs. Quintana-Marquez was driving her vehicle through an intersection with a green light when her vehicle was struck on the driver's side by a police vehicle. The police vehicle had made a left turn from the far right lane in order to begin a pursuit of a traffic violator; the pursuit was in violation of county policies and evidenced disregard for the safety of others in violation of s. 316.072(5), F.S. Mrs. Quintana-Marquez sustained substantial injuries as a result of the accident, including several fractures and a perforated colon. In a series of surgeries, her colon was removed and, eventually, some function was restored through surgical connection of the inner sphincter to the rectum. Medical bills exceeded \$108,000. Permanent results of the accident include significant scarring and loss of control of bowels; for Mr. Marquez, the accident caused emotional distress and a loss of his wife's society, affection, and companionship.

SM: _____ SD: _____ Date: Feb. 10, 1999

Leonard Schulte Stephanie Olin Birtman
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