

By Senator Jones

40-55A-99

1 A bill to be entitled
2 An act relating to Metropolitan Dade County;
3 providing for the relief of Martha Sosa;
4 providing for an appropriation to compensate
5 her for injuries and damages sustained as a
6 result of the negligence of Metropolitan Dade
7 County; providing an effective date.

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9 WHEREAS, on October 27, 1995, Martha Sosa was on her
10 way home from work on a Route 11 Metropolitan Dade County bus,
11 and

12 WHEREAS, she disembarked from the bus, walked to the
13 bus bench to tie her shoe, and lost her balance and fell into
14 the street under the bus in front of the rear wheels on the
15 passenger side, and

16 WHEREAS, Ms. Sosa was able to move most of her body out
17 from under the bus, but was unable to remove her right arm
18 before the bus drove over it, and

19 WHEREAS, Martha Sosa suffered a degloving injury to her
20 right arm, which involved the skin, flesh, and muscle tissue
21 being stripped away from the bone beginning at the top of her
22 shoulder and continuing down to her wrist, and

23 WHEREAS, Ms. Sosa underwent six surgeries to repair her
24 arm, was in the hospital for approximately 1 month following
25 the injury, underwent 5 months of occupational therapy, and
26 has remaining disabilities with her arm, and

27 WHEREAS, Ms. Sosa was out of work for approximately 9
28 months, and

29 WHEREAS, Martha Sosa filed suit against Metropolitan
30 Dade County on May 31, 1996, and

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1 WHEREAS, on July 23, 1998, the jury returned a verdict
2 finding the defendant sixty-five percent liable for Ms. Sosa's
3 injuries and finding Ms. Sosa thirty-five percent
4 comparatively negligent for her own injuries, and

5 WHEREAS, a trial on damages immediately followed with
6 the jury returning a verdict in the total amount of \$2,576,000
7 on July 24, 1998, and

8 WHEREAS, after a reduction for the comparative
9 negligence assigned to Ms. Sosa, the total recovery due her
10 from Metropolitan Dade County is \$1,674,000, and

11 WHEREAS, after the county has paid the limit of
12 \$100,000 under section 768.28, Florida Statutes, the remaining
13 excess judgment amount owed will be \$1,574,000 plus
14 court-awarded costs, NOW, THEREFORE,

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

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

20 Section 2. Metropolitan Dade County is authorized and
21 directed to appropriate from funds of the county not otherwise
22 appropriated and to draw a warrant in the sum of \$1,574,000
23 plus court-awarded costs payable to Martha Sosa for injuries
24 and damages sustained as a result of the negligence of
25 Metropolitan Dade County.

26 Section 3. This act shall take effect upon becoming a
27 law.

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