

By the Committee on Claims and Representatives Morroni,
Ritter and Rayson

1 A bill to be entitled
2 An act relating to the City of Clearwater;
3 providing for the relief of Paul W. Gilfoyle,
4 through his guardian Anne-Marie Cherokee
5 Lindsey; providing for an appropriation to
6 compensate him for damages sustained in a
7 collision with a police car driven by a City of
8 Clearwater patrolman; providing an effective
9 date.

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11 WHEREAS, on September 5, 1993, Paul W. Gilfoyle
12 sustained multiple injuries, including a closed head injury,
13 as a result of a motor vehicle accident between a vehicle he
14 was operating and a police vehicle owned by the City of
15 Clearwater, which accident occurred at the intersection of
16 U.S. 19 and Drew Street in Clearwater, Pinellas County, and

17 WHEREAS, as a result of the accident, Paul W. Gilfoyle
18 was rendered totally incapacitated, and a court has appointed
19 Anne-Marie Cherokee Lindsey as plenary guardian of Paul W.
20 Gilfoyle's person and property, and

21 WHEREAS, the parties entered into a settlement
22 agreement in the amount of \$325,000, of which the City of
23 Clearwater is to pay the statutory limit of \$100,000 by means
24 of a check made payable to Anne-Marie Cherokee Lindsey, as
25 guardian of Paul W. Gilfoyle; Daniel Newman, attorney; and
26 Florida Health Sciences Center, and

27 WHEREAS, the City of Clearwater has also agreed not to
28 contest or object to enactment of a claim bill for the
29 remaining \$225,000, NOW, THEREFORE,

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

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

3 Section 2. The City of Clearwater is authorized and
4 directed to appropriate from funds of the city not otherwise
5 appropriated and to draw a warrant in the sum of \$225,000
6 payable to Anne-Marie Cherokee Lindsey, as guardian of Paul W.
7 Gilfoyle, as compensation for injuries and damages sustained
8 in a collision between an automobile driven by Mr. Gilfoyle
9 and a police car driven by a City of Clearwater patrolman,
10 such compensation to be used to pay legal fees incurred on Mr.
11 Gilfoyle's behalf as a result of such accident and to fund a
12 special needs trust for the future care of Mr. Gilfoyle.

13 Section 3. This act shall take effect upon becoming a
14 law.
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