

**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

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**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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