

By the Committee on Claims and Representatives Cantens and Ritter

1 A bill to be entitled
2 An act relating to Miami-Dade County; providing
3 for the relief of Martha Sosa; providing for an
4 appropriation to compensate her for injuries
5 and damages sustained as a result of the
6 negligence of Miami-Dade County; providing an
7 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 Miami-Dade County bus, and
11 WHEREAS, she disembarked from the bus, walked to the
12 bus bench to tie her shoe, and lost her balance and fell into
13 the street under the bus in front of the rear wheels on the
14 passenger side, and
15 WHEREAS, Martha Sosa was able to move most of her body
16 from under the bus, but was unable to remove her right arm
17 before the bus drove over it, and
18 WHEREAS, Martha Sosa suffered a degloving injury to her
19 right arm, which involved the skin, flesh, and muscle tissue
20 being stripped away from the bone beginning at the top of her
21 shoulder and continuing down to her wrist, and
22 WHEREAS, Martha Sosa underwent six surgeries to repair
23 her arm, was in the hospital for approximately 1 month
24 following the injury, underwent 5 months of occupational
25 therapy, and has remaining disabilities with her arm, and
26 WHEREAS, Martha Sosa was out of work for approximately
27 9 months, and
28 WHEREAS, Martha Sosa filed suit against Miami-Dade
29 County on May 31, 1996, and
30 WHEREAS, on July 23, 1998, the jury returned a verdict
31 finding the defendant sixty-five percent liable for Martha

1 Sosa's injuries and finding Martha Sosa thirty-five percent
2 comparatively negligent for her own injuries, and

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

6 WHEREAS, after a reduction for the comparative
7 negligence assigned to Martha Sosa, the total recovery due her
8 from Miami-Dade County was \$1,674,000, and

9 WHEREAS, after the jury verdict, the parties entered
10 into mediation and settled the case for the total amount of
11 \$1,000,000 on September 14, 1998, and

12 WHEREAS, Miami-Dade County has paid the limit of
13 \$100,000 under section 768.28, Florida Statutes, and

14 WHEREAS, Miami-Dade County has agreed to support a
15 claim bill for the remaining amount of \$900,000, under the
16 settlement agreement, NOW, THEREFORE,

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

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

22 Section 2. Miami-Dade County is authorized and
23 directed to appropriate from funds of the county not otherwise
24 appropriated and to draw a warrant in the sum of \$900,000
25 payable to Martha Sosa for injuries and damages sustained as a
26 result of the negligence of Miami-Dade County.

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

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