

By Senator Geller

29-38A-01

1 A bill to be entitled
2 An act relating to Orange County; providing for
3 the relief of Pamela McMahan San Juan;
4 authorizing and directing Orange County to
5 compensate her for personal injuries that she
6 suffered due to the negligence of Orange
7 County; providing an effective date.

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9 WHEREAS, while driving her car on a roadway maintained
10 by Orange County, Pamela McMahan San Juan was involved in a
11 serious crash that resulted in multiple serious fractures in
12 all four of her limbs, and

13 WHEREAS, the shoulders of the road were not maintained,
14 and there were deep dropoffs between the edge of the road and
15 the shoulder, and

16 WHEREAS, a car in the oncoming lane consequently went
17 off the road onto the shoulder, got caught in the trench,
18 tried to get back on the road, overcompensated, and swerved
19 into the opposite lane and hit Ms. San Juan's car, and

20 WHEREAS, as a result of her injuries, Ms. San Juan has
21 endured multiple surgeries on both arms and both legs, has
22 been diagnosed with long-term, permanent residual impairments,
23 and will most likely need future surgeries on her knee and
24 arm, and

25 WHEREAS, Ms. San Juan has incurred more than \$145,000
26 in medical bills, and the hospital has a lien for that amount,
27 and

28 WHEREAS, she has been out of work since the accident,
29 and

30 WHEREAS, the case went to trial in 1999, and the jury
31 found Orange County to be at fault but also allocated some

1 fault to the driver of the other vehicle, and judgment was
2 rendered in favor of the plaintiff for the sum of \$380,971,
3 and

4 WHEREAS, Orange County appealed the jury's verdict, but
5 the verdict was affirmed per curiam, and

6 WHEREAS, Orange County has paid the \$100,000 that is
7 the maximum amount allowed under section 768.28, Florida
8 Statutes, leaving a remainder owed in the amount of \$280,971,
9 NOW, THEREFORE,

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

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

15 Section 2. Orange County is authorized and directed to
16 compensate Pamela McMahan San Juan in the amount of \$280,971
17 for injuries and damages sustained and for medical expenses,
18 out of the funds of Orange County not otherwise appropriated.

19 Section 3. This act shall take effect upon becoming a
20 law.

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