

By Representative Meadows

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

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9 WHEREAS, on April 13, 1997, while driving her car on a
10 roadway maintained by Orange County, Pamela McMahan San Juan
11 was involved in a serious crash that resulted in multiple
12 serious fractures in all four of her limbs, and

13 WHEREAS, the shoulders of the road on which Pamela
14 McMahan San Juan was traveling were not maintained, and there
15 were deep dropoffs between the edge of the road and the
16 shoulder, and

17 WHEREAS, a car in the oncoming lane of traffic
18 consequently went off the road and onto the shoulder, got
19 caught in the dropoff, and in attempting to pull the car back
20 on the road, overcompensated and swerved into the opposite
21 lane of traffic, hitting the vehicle driven by Pamela McMahan
22 San Juan, and

23 WHEREAS, as a result of her injuries, Pamela McMahan
24 San Juan has endured multiple surgeries on both arms and both
25 legs, has been diagnosed with long-term, permanent residual
26 impairments, and will most likely need future surgeries on her
27 knee and arm, and

28 WHEREAS, Pamela McMahan San Juan has incurred more than
29 \$145,000 in medical bills, and the hospital which provided
30 medical care to Pamela McMahan San Juan has a lien for that
31 amount, and

1 WHEREAS, Pamela McMahan San Juan has been out of work
2 since the accident, and

3 WHEREAS, the accident of April 13, 1997, formed the
4 basis of legal action against Orange County, and

5 WHEREAS, the case went to trial in 1999, and the jury
6 found Orange County to be at fault and also allocated a
7 portion of fault to the driver of the other vehicle, and

8 WHEREAS, judgment was rendered in favor of the
9 plaintiff for the sum of \$380,971, and

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

12 WHEREAS, Orange County has paid \$100,000 under section
13 768.28, Florida Statutes, leaving a remainder of \$280,971,
14 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. The Board of County Commissioners of Orange
21 County is authorized and directed to appropriate from funds of
22 the county not otherwise appropriated and to draw a warrant in
23 the sum of \$280,971 payable to Pamela McMahan San Juan for
24 injuries and damages sustained.

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

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