

STORAGE NAME: h0305.ju  
DATE: February 28, 2003

Florida House of Representatives  
Subcommittee on Claims  
Summary Claim Bill Report

Bill #: HB 305  
Sponsor: Rep. Mayfield  
Companion Bill: SB 180 by Sen. Hill  
Special Master: Stephanie Birtman, Esq.

**A. Basic Information:**

1. **Claimants:** Tylor Griffeth, by and through his parents, Mark & Teresa Griffeth.
2. **Respondent:** Indian River County School Board
3. **Amount Requested:** Total settlement of \$40,000, inclusive of attorney's fees and costs.
4. **Type of Claim:** Settlement agreement.
5. **Respondent's Position:** Admitted liability; does not oppose settlement.
6. **Collateral Sources:** \$10,000 PIP.
7. **Prior Legislative History:** None
8. **Attorney's Fees & Costs:** Attorney's fees are limited to 25% in accordance with S.768.28, F.S. Costs total \$2,476.14, which include lobbying fees.

**B. Procedural Summary:** Mark and Teresa Griffeth, as parents and natural guardians of Tylor Griffeth, filed suit against the Indian River County School Board for bodily injuries, pain and suffering, disability, disfigurement, mental anguish, loss of capacity, and past, permanent, and continuing medical expenses associated with the injuries. The School Board conceded liability; thereafter the parties entered into a settlement agreement (prior to trial) wherein the School Board agreed to pay a total of \$40,000, inclusive of attorney's fees and costs.

**Facts of Case:** On January 25, 1999, Tylor Griffeth was a passenger on an Indian River County School bus traveling west bound on 45<sup>th</sup> Street, approaching 66<sup>th</sup> Avenue. At the same time, a 1996 tractor-trailer was traveling southbound on 66<sup>th</sup> Avenue, approaching the intersection. The bus driver failed to stop at the stop sign and collided with the tractor-trailer, killing the tractor-trailer driver (see Smith/Hughes/Truitt claim bill) and injuring 14 other children, one of whom died (see 2002-320, LOF, Dixon claim). Tylor Griffeth (now 10 years old) suffered neck injuries, a closed head injury and double vision, which has since corrected itself. On doctors orders, Tylor is prohibited from playing any contact sports for the remainder of his school career. Past medical expenses are approximately \$15,000.

SM: \_\_\_\_\_  
Stephanie O. Birtman

Date: \_\_\_\_\_

