

By Senator Pruitt

26-26-03

1 A bill to be entitled
2 An act relating to St. Lucie County; providing
3 for the relief of Richard and Denise Ebner for
4 injuries sustained due to the negligence of St.
5 Lucie County; providing for the use of such
6 funds; providing an effective date.
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8 WHEREAS, On February 6, 1996, Richard and Denise Ebner
9 were standing in front of their vehicle off the northbound
10 shoulder of Glades Cut-Off Road in Fort Pierce, Florida, and
11 WHEREAS, a car was traveling in the northbound lane of
12 Glades Cut-Off Road and approaching the area where the Ebners
13 were parked, and
14 WHEREAS, a dump truck owned by St. Lucie County, while
15 traveling in the southbound lane, collided with the other car,
16 causing it to strike the Ebner's vehicle and Richard and
17 Denise Ebner, and
18 WHEREAS, the collision was caused by the negligence of
19 the driver of the St. Lucie County dump truck, and
20 WHEREAS, as a result of the collision, Richard Ebner
21 sustained a right zygomaticomaxillary complex fracture, right
22 orbital rim and orbital floor fracture, right medial orbital
23 wall fracture, right maxillary sinus wall fractures, LaForte 1
24 fracture of the right maxilla, right pneumothorax, right
25 basilar skull fracture, concussion, scalp laceration, open
26 bite deformity, trigeminal neuralgia of the first division
27 with overflow, loss of vision in the right eye, and right
28 sepal deformity, and
29 WHEREAS, Richard Ebner, as a result of such injuries,
30 suffers from almost constant severe shooting pains in his face
31 and head, frequent migraine headaches, dizziness, fainting,

1 memory loss, and loss of concentration, and his mental
2 capacity has been greatly reduced, and

3 WHEREAS, Richard Ebner has incurred medical bills in
4 excess of \$84,000 as a result of his injuries, and

5 WHEREAS, Denise Ebner, as a result of the collision,
6 sustained a torn medial meniscus and tear of the medial
7 collateral ligament in her right knee, which required surgical
8 arthroscopy, partial medial meniscectomy, and synovectomy of
9 the medial compartment, and

10 WHEREAS, Denise Ebner continues to suffer from
11 right-knee pain and stiffness, burning sensations in her right
12 leg, numbness in her right foot, and lower back pain, and

13 WHEREAS, Denise Ebner has incurred medical bills in
14 excess of \$7,000 as a result of her injuries, and

15 WHEREAS, as a result of his injuries, Richard Ebner is
16 no longer able to operate his business, Rick's Garden World, a
17 nursery and landscaping business, resulting in a loss of
18 revenue which has caused the Ebners to mortgage their family
19 home, placing it in danger of foreclosure, and

20 WHEREAS, the injuries have financially devastated the
21 Ebners and have significantly decreased their quality of life,
22 and

23 WHEREAS, the Ebners have received \$15,000 in a
24 settlement with the driver of the vehicle that struck them,
25 have received \$300,000 from their underinsured motorist
26 insurance carrier, and have agreed to a settlement with St.
27 Lucie county in the amount of \$200,000, plus an agreement for
28 the county to support a claim bill in the amount of \$50,000,
29 NOW, THEREFORE,

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

1 Section 1. The facts stated in the preamble to this
2 act are found and declared to be true.
3 Section 2. St. Lucie County is authorized and directed
4 to compensate Richard and Denise Ebner in the sum of \$50,000,
5 out of county funds not otherwise appropriated. The funds
6 designated for their benefit shall be used to pay statutory
7 fees, costs, outstanding medical liens, and other immediate
8 needs of the claimants.
9 Section 3. This act shall take effect upon becoming a
10 law.
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