

Bill No. CS for SB 40

Amendment No. \_\_\_\_ Barcode 245780

CHAMBER ACTION

Senate

House

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Senator Diaz de la Portilla moved the following amendment:

**Senate Amendment**

On page 3, line 27, through  
page 4, line 24, delete those lines

and insert:

Section 2. (1) The South Broward Hospital District is authorized and directed to appropriate from funds of the hospital district not otherwise appropriated to compensate the claimants, Cindy Haider, the wife of Jeffrey Haider, deceased; Alan Haider, the adult dependent child of Jeffrey and Cindy Haider; and Max, Jonathan, and Jessica Haider, the adult children of Jeffrey and Cindy Haider, for injuries and damages sustained as a result of the neqligence of employees of the district the sum of \$3,800,000, plus liquidated interest of \$46,437, for a total of \$3,846,437 as agreed to by the claimants and the district, in the following distribution to the claimants, after payment of attorney's fees and costs: 60 percent to be paid to Cindy Haider; 10 percent to be paid to the trust established for Max Haider; 10 percent to be paid to

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1 the trust established for Jonathan Haider; 10 percent to be  
2 paid to the trust established for Jessica Haider; and 10  
3 percent to be paid to the trust established for Alan Haider.  
4       (2) The claimants, Alan Haider, Max Haider, Jonathan  
5 Haider, and Jessica Haider, and the attorney for each of the  
6 claimants shall, as a condition of payment, nominate a  
7 financial institution doing business in this state, or an  
8 independent individual who is not related to the claimants by  
9 blood, marriage, or contract, to act as a trustee for an  
10 irrevocable inter vivos trust established for the benefit of  
11 each respective claimant. In addition, the proceeds that are  
12 paid to Alan Haider, Max Haider, Jonathan Haider, and Jessica  
13 Haider shall be placed in separate, irrevocable inter vivos  
14 trusts, to be used solely for the health care, support,  
15 maintenance, and education of each respective claimant until  
16 that claimant is 30 years of age. The trustee must take into  
17 consideration any other resources and income of the  
18 beneficiary of a trust before disbursing any funds from a  
19 trust to the claimant who is the beneficiary of that trust. To  
20 that end, the trustee of the trusts must possess experience in  
21 financial and trust management. The amount payable under this  
22 section is inclusive of costs and attorney's fees, as limited  
23 by section 768.28(8), Florida Statutes.

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