

Bill No. SB 40

Amendment No. 2 Barcode 961104

CHAMBER ACTION

Senate

House

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The Committee on Special Master recommended the following amendment:

**Senate Amendment (with title amendment)**

On page 3, line 27, through  
page 4, line 4, 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 negligence 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

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1 the trust established for Max Haider; 10 percent to be paid to  
2 the trust established for Jonathan Haider; 10 percent to be  
3 paid to the trust established for Jessica Haider; and 10  
4 percent to be paid to the trust established for Alan Haider.

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

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27 ===== T I T L E A M E N D M E N T =====

28 And the title is amended as follows:

29 On page 3, lines 12-20, delete those lines

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31 and insert:

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1           WHEREAS, Dr. Rodriquez, the neurosurgeon, states in his  
2 operative report that "the larger M2 (artery), and even the  
3 other one, were essentially on the aneurysm bulbous dilation  
4 and I could not bring them together to do an anastomosis," and

5           WHEREAS, Jeffrey Haider has suffered astronomical  
6 economic and noneconomic damages as a result of the treatment  
7 he received from the South Broward Hospital District, and

8           WHEREAS, Jeffrey Haider was in a chronic vegetative  
9 state and required 7-day-a-week, around-the-clock care, until  
10 his death on January 1, 2004,

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