

HB 0793

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A bill to be entitled  
An act for the relief of Stephen Hall; providing an appropriation to compensate him for injuries sustained as a result of the negligence of an employee of the Department of Transportation; providing an effective date.

WHEREAS, on June 30, 1997, Stephen Hall was a passenger in a vehicle driven by his father, Edward Hall, traveling westbound on State Road 500 in Brevard County, Florida, and

WHEREAS, David Eaker, an employee of the Department of Transportation, was stopped on the north shoulder of State Road 500, headed in the same direction as the Hall vehicle, and

WHEREAS, as the Hall vehicle approached his vehicle, David Eaker pulled into the path of the Hall vehicle, resulting in a collision between the two vehicles, and

WHEREAS, Stephen Hall was injured and was transported by ambulance to Holmes Regional Medical Center in Melbourne, where he was treated for multiple traumatic injuries, including multiple facial fractures and lacerations; multiple intra-oral mucosal lacerations; and orthopedic injuries to his right arm and shoulder, neck, and both knees, and

WHEREAS, as a result of the injuries, Stephen Hall was subjected to multiple surgeries and physical therapy, will likely need additional surgery for the injuries in the future, missed 2 years of school, has suffered from mood swings and depression, and has permanent facial disfigurement and continuing problems as a result of the injuries, and

WHEREAS, Stephen Hall's medical expenses total \$51,586.81 to date, and

HB 0793

2004

30 WHEREAS, David Eaker was determined to be at fault and was  
 31 charged with failure to yield the right-of-way, and

32 WHEREAS, the Halls filed suit in the Eighteenth Judicial  
 33 Circuit, in and for Brevard County, against the Department of  
 34 Transportation in case number 05-2001-CA-006293, and

35 WHEREAS, the parties mediated the case and reached a  
 36 settlement of all claims, and

37 WHEREAS, the parties entered into a settlement agreement in  
 38 which the Department of Transportation admitted liability and  
 39 agreed to the entry of a consent judgment in the amount of  
 40 \$500,000, and

41 WHEREAS, the Department of Transportation has previously  
 42 paid \$112,000 to the claimant and agreed to affirmatively  
 43 support a claim bill in the amount of \$388,000, NOW, THEREFORE,

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

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47 Section 1. The facts stated in the preamble to this act  
 48 are found and declared to be true.

49 Section 2. The sum of \$388,000 is appropriated from the  
 50 General Revenue Fund to the Department of Transportation for the  
 51 relief of Stephan Hall for injuries and damages sustained.

52 Section 3. The Chief Financial Officer is directed to draw  
 53 a warrant in favor of Stephen Hall in the sum of \$388,000, upon  
 54 funds of the Department of Transportation in the State Treasury  
 55 and the Chief Financial Officer is directed to pay the same out  
 56 of funds in the State Treasury.

57 Section 4. This act shall take effect upon becoming a law.