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A bill to be entitled

2 An act for the relief of Claude Tunc, Martine Tunc, and 3 Sandrine Tunc by the City of Miami Beach; providing for 4 the relief of Claude Tunc and Martine Tunc, individually 5 and as personal representatives of the estate of Stephanie Tunc, deceased, and Sandrine Tunc, sister of Stephanie 6 7 Tunc, deceased, for the death of Stephanie Tunc and 8 injuries and damages sustained by Sandrine Tunc due to the 9 negligence of the City of Miami Beach; providing for an appropriation; providing for attorney's fees and costs; 10 providing an effective date. 11

WHEREAS, on February 22, 2003, 27-year-old Sandrine Tunc and her 26-year-old sister, Stephanie Tunc, were sunbathing on the soft sand of Miami Beach on a sunny afternoon, and

16 WHEREAS, Officer George Varon, a police officer employed by 17 the City of Miami Beach Police Department, while in the course 18 and scope of his duties as a City of Miami Beach police officer, 19 drove a Miami Beach police vehicle on the soft sand of Miami 20 Beach and negligently drove through an area of sunbathers near a 21 lifeguard station, and in fact did drive over Stephanie Tunc and Sandrine Tunc with his police vehicle, proximately causing the 22 23 death of Stephanie Tunc and serious permanent injuries to 24 Sandrine Tunc, and

25 WHEREAS, Stephanie Tunc was crushed to death by the vehicle 26 and died shortly after the incident, and Sandrine Tunc survived 27 the accident and was transferred to the Ryder Trauma Center at 28 the Jackson Memorial Hospital, and

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WHEREAS, the parents of Stephanie Tunc, Claude Tunc and

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30 Martine Tunc, seek to recover damages for their mental pain and 31 suffering, as well as future loss of support of services based 32 on the death of their daughter, and

WHEREAS, Sandrine Tunc seeks damages for past pain and suffering, disability, impairment, disfigurement, mental anguish, inconvenience, and lost capacity to enjoy life; future pain and suffering, disability, impairment, disfigurement, mental anguish, inconvenience, and lost capacity to enjoy life; loss of future earning capacity; and future medical and psychiatric care and rehabilitation, and

WHEREAS, Sandrine Tunc was hospitalized from February 22,
2003, through February 28, 2003, at the Jackson Memorial
Hospital for a lacerated liver, fractured ribs, punctured lung,
contusions, and hematomas, and

WHEREAS, also as a result of the injuries incurred on February 22, 2003, Sandrine Tunc has disfiguring scars as well as a permanent hardened cyst-like hematoma in her lower left groin area, and

WHEREAS, Sandrine Tunc incurred medical expenses of \$37,624.20 for her treatment at the Jackson Memorial Hospital Ryder Trauma Center, and the decedent, Stephanie Tunc, incurred medical expenses of \$45,030.24 at the Jackson Memorial Hospital Ryder Trauma Center, and

53 WHEREAS, Sandrine Tunc is receiving continuous medical and 54 psychiatric care due to the above injuries as well as the 55 emotional trauma of watching her sister being crushed to death 56 by the police vehicle while they were lying side-by-side on the 57 beach, and

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58	WHEREAS, as a result of a suit filed following the
59	incident, the City Commission of the City of Miami Beach
60	voluntarily agreed to a settlement of this cause in the amount
61	of \$1,500,000, of which \$200,000 will be paid by the City of
62	Miami Beach, and
63	WHEREAS, the remaining \$1,300,000 is to be paid subject to
64	the passage of a claim bill introduced in the Legislature, and
65	WHEREAS, the City of Miami Beach has agreed to support this
66	claim bill, NOW, THEREFORE,
67	
68	Be It Enacted by the Legislature of the State of Florida:
69	
70	Section 1. The facts stated in the preamble to this act
71	are found and declared to be true.
72	Section 2. The City of Miami Beach is authorized and
73	directed to appropriate from funds not otherwise appropriated
74	and to draw a warrant payable to Claude Tunc and Martine Tunc,
75	individually and as personal representatives of the estate of
76	Stephanie Tunc, deceased, and Sandrine Tunc, sister of Stephanie
77	Tunc, deceased, for the total amount of \$1,300,000, which amount
78	is inclusive of costs and attorney's fees as limited by s.
79	768.28(8), Florida Statutes, as compensation for injuries and
80	damages sustained due to the negligence of the City of Miami
81	Beach.
82	Section 3. This act shall take effect upon becoming a law.

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