

1 A bill to be entitled

2 An act for the relief of Stephen Hall; providing an  
3 appropriation to compensate Stephen Hall for injuries  
4 sustained as a result of the negligence of an employee of  
5 the Department of Transportation; providing an effective  
6 date.

7  
8 WHEREAS, on June 30, 1997, Stephen Hall was a passenger in  
9 a vehicle driven by his father, Edward Hall, traveling westbound  
10 on State Road 500 in Brevard County, Florida, and

11 WHEREAS, David Eaker, an employee of the Department of  
12 Transportation, was stopped on the north shoulder of State Road  
13 500, headed in the same direction as the Hall vehicle, and

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

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

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

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

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

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

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

38 WHEREAS, the parties entered into a settlement agreement in  
 39 which the Department of Transportation admitted liability and  
 40 agreed to the entry of a consent judgment in the amount of  
 41 \$500,000, and

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

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

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

50 Section 2. The Executive Office of the Governor is  
 51 directed to establish spending authority from unappropriated  
 52 trust fund balances in the Department of Transportation in the  
 53 amount of \$388,000 to a new category titled "Relief: Stephen  
 54 Hall" as relief for injuries and damages sustained, which amount  
 55 includes attorney's fees and costs.

56 Section 3. The Chief Financial Officer is directed to draw

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57 a warrant, pursuant to the Stipulated Settlement Agreement  
58 executed by the Department of Transportation and Stephen Hall,  
59 in the sum of \$388,000, upon funds of the Department of  
60 Transportation in the State Treasury, and the Chief Financial  
61 Officer is directed to pay the same out of funds in the State  
62 Treasury.

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