

1 A bill to be entitled
 2 An act for the relief of Sheryl D. Allen and George F.
 3 Allen by the City of Tallahassee; providing for an
 4 appropriation to compensate Sheryl D. Allen and George F.
 5 Allen for injuries sustained as a result of an accident
 6 involving Sheryl D. Allen and an employee of the City of
 7 Tallahassee; providing for attorney's fees, lobbyist's
 8 fees, and costs; providing an effective date.

9
 10 WHEREAS, on December 8, 2001, Sheryl D. Allen was in
 11 Tallahassee chaperoning her daughter's Keystone Heights High
 12 School Band as they participated in the city's 2001 Winter
 13 Festival parade, and

14 WHEREAS, Sheryl D. Allen was hit by a large trailer/float
 15 owned by the City of Tallahassee and driven by a City of
 16 Tallahassee employee when the trailer swung wide, leaving the
 17 parade disembarkment area, and

18 WHEREAS, the contact with the trailer knocked Sheryl D.
 19 Allen to the ground, resulting in a skull fracture and
 20 significant closed-head injury, and

21 WHEREAS, the accident of December 8, 2001, formed the basis
 22 of a negligence action filed against the City of Tallahassee in
 23 2002, and

24 WHEREAS, the city, after extensive discovery during the
 25 litigation, admitted liability, and

26 WHEREAS, on April 7, 2004, the City of Tallahassee and
 27 Sheryl D. Allen and George F. Allen, husband of Sheryl D. Allen,
 28 mediated the case prior to trial and reached an agreement

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29 | whereby the city agreed to pay Sheryl D. Allen and George F.
 30 | Allen \$200,000, pursuant to the limits of liability set forth in
 31 | s. 768.28, Florida Statutes, and to support the passage of a
 32 | claims bill in the Legislature for an additional payment of
 33 | \$775,000, and

34 | WHEREAS, the Tallahassee City Commission and the Circuit
 35 | Court in and for the Second Judicial Circuit approved the
 36 | settlement agreement reached at mediation, and the city has paid
 37 | \$200,000 to Sheryl D. Allen, George F. Allen, and their
 38 | attorneys, and

39 | WHEREAS, the City of Tallahassee has agreed to support the
 40 | filing and passage of this bill and has agreed that, if this act
 41 | becomes law, the City of Tallahassee, within 30 days after the
 42 | effective date of this act, will pay an additional \$775,000 to
 43 | Sheryl D. Allen and George F. Allen, NOW, THEREFORE,

44 |
 45 | Be It Enacted by the Legislature of the State of Florida:

46 |
 47 | Section 1. The facts stated in the preamble to this act
 48 | are found and declared to be true.

49 | Section 2. The City of Tallahassee is authorized and
 50 | directed to appropriate from funds of the city not otherwise
 51 | appropriated and to draw a warrant in the sum of \$775,000
 52 | payable to Sheryl D. Allen and George F. Allen as compensation
 53 | for injuries and damages sustained due to the negligence of an
 54 | employee of the city.

55 | Section 3. Payment for attorney's fees and costs incurred
 56 | by the claimant's attorneys shall not exceed \$117,946. Payment

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57 for the professional services and costs of lobbyists advocating
58 for passage of this claim shall not exceed \$7,750.

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