

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

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

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

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

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

26 WHEREAS, the city, after extensive discovery during the
27 litigation, admitted liability, and

28 WHEREAS, on April 7, 2004, the City of Tallahassee and
29 Sheryl D. Allen and George F. Allen, husband of Sheryl D.
30 Allen, mediated the case prior to trial and reached an
31 agreement whereby the city agreed to pay Sheryl D. Allen and

1 George F. Allen \$200,000, pursuant to the limits of liability
2 set forth in s. 768.28, Florida Statutes, and to support the
3 passage of a claims bill in the Legislature for an additional
4 payment of \$775,000, and

5 WHEREAS, the Tallahassee City Commission and the
6 Circuit Court in and for the Second Judicial Circuit approved
7 the settlement agreement reached at mediation, and the city
8 has paid \$200,000 to Sheryl D. Allen, George F. Allen, and
9 their attorneys, and

10 WHEREAS, the City of Tallahassee has agreed to support
11 the filing and passage of this bill and has agreed that, if
12 this act becomes law, the City of Tallahassee, within 30 days
13 after the effective date of this act, will pay an additional
14 \$775,000 to Sheryl D. Allen and George F. Allen, NOW,

15 THEREFORE,

16
17 Be It Enacted by the Legislature of the State of Florida:

18
19 Section 1. The facts stated in the preamble to this
20 act are found and declared to be true.

21 Section 2. The City of Tallahassee is authorized and
22 directed to appropriate from funds of the city not otherwise
23 appropriated and to draw a warrant in the sum of \$775,000
24 payable to Sheryl D. Allen and George F. Allen as compensation
25 for injuries and damages sustained due to the negligence of an
26 employee of the city.

27 Section 3. Payment for attorney's fees and costs
28 incurred by the claimant's attorneys shall not exceed
29 \$117,946. Payment for the professional services and costs of
30 lobbyists advocating for passage of this claim shall not
31 exceed \$7,750.

1 Section 4. This act shall take effect upon becoming a
2 law.
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31