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Florida House of Representatives  
Summary Claim Bill Report

Bill #: HB 629  
Sponsor: Rep. Bullard  
Companion Bill: SB 80 by Senator Diaz de la Portilla  
Special Master: Stephanie Birtman

**A. Basic Information:**

1. **Claimants:** Norka Laureiro
2. **Respondent:** Miami-Dade County
3. **Amount Requested:** \$1 million less \$900 already paid pursuant to the statutory cap on liability. Total requested = \$999,100.
4. **Type of Claim:** Equitable, based on a settlement agreement.
5. **Respondent's Position:** The County has agreed to cooperate with the claimants in the claim bill process.
6. **Collateral Sources:** None.
7. **Attorney's Fees:** Claimant's attorney has submitted documentation attesting that their fee will not exceed the 25% cap provided in s. 768.28, F.S., for a total of \$250,000. Lobbying fees are not included in the 25% cap, and total an additional \$50,000. Costs total \$49,994.05.
8. **Prior Legislative History:** HB 799 (2006) was filed by Rep. Bullard. It was reported favorably with a committee substitute by the Claims Committee and died in the Justice Council. SB 44 (2006) was filed by Rep. Diaz de la Portilla and was not considered by any Senate Committee.

**B. Procedural Summary:** Norka Laureiro and her husband, Fredy filed suit against Miami-Dade County in 2000, alleging that the driver of a Miami-Dade County bus negligently operated a county bus, resulting in a collision that caused her serious and permanent injuries. The County admitted liability and proceeded to trial on damages alone. The jury returned a total verdict of \$1,600,685.38 for the claimants. The County appealed the verdict to the Third District Court of Appeal on a narrow evidentiary issue regarding the admission of evidence on the amount of medical bills paid by Medicare. While the appeal was pending, the parties reached a high/low settlement. Pursuant to the terms of the agreement, because the appellate court did not order a new trial on all of the damages awarded by the jury, the County agreed to pay the claimant \$1 million. The Circuit Court issued a consent judgment awarding \$968,750 for Norka Laureiro and \$31,250 for Fredy Laureiro. The parties have agreed to merge Mr. Laureiro's claim with the reduced amount for Mrs. Laureiro awarded in the settlement.

**C. Facts of Case:** On March 25, 1998, Norka Laureiro, then a 64 year-old woman who owned her own business driving children to and from school, was driving her private school van and approaching the southbound intersection of S.W. 3<sup>rd</sup> Street and S.W. 113<sup>th</sup> Avenue in Miami-Dade County. Mrs. Laureiro had the right of way. At the same time, a Miami-Dade County bus traveling eastbound and approaching the intersection failed to stop at the stop sign and struck Mrs. Laureiro's van on the left side. As a result of the collision, Mrs. Laureiro suffered a blow to her head which caused bone and nerve damage. The skull trauma caused a fractured right orbital wall and maxillary sinus which had to be reconstructed so that her eye wouldn't sink into the orbit. She has permanent numbness on the right side of her face. Mrs. Laureiro also suffered several fractures to her right leg and has a permanent injury to her Achilles tendon which has required two major orthopedic surgeries. The injury also caused her right subtalar joint to become dislocated (where the ankle bone joins with the foot forming the heel), necessitating two surgeries, the latest of which fused the joint. The surgery was not able to increase her normal function of the ankle, but did help to lesson some of the debilitating pain. She is unable to use the foot normally and anticipates needing future surgeries. The limp has altered her gait causing pain in her hips, back, and legs. She continues to be under a doctor's care for depression cause by the pain, and injuries, and inability to work.

SM: \_\_\_\_\_ SD: \_\_\_\_\_ Date: \_\_\_\_\_  
Stephanie O. Birtman Stephanie O. Birtman