

CS/HB 629

2007

1 A bill to be entitled
2 An act for the relief of Norka Laureiro by Miami-Dade
3 County; authorizing and directing Miami-Dade County to
4 compensate Norka Laureiro for injuries sustained as a
5 result of a collision caused by a Miami-Dade County bus;
6 providing for attorney's fees, lobbyist's fees, and costs;
7 providing an effective date.

8
9 WHEREAS, on March 25, 1998, Norka Laureiro was transporting
10 children in a private school van when she approached an
11 intersection, and

12 WHEREAS, a Miami-Dade County bus ran a stop sign at the
13 intersection and collided with Ms. Laureiro's van, which caused
14 serious injuries to Ms. Laureiro and several children, and

15 WHEREAS, the driver of the Miami-Dade County bus had a
16 significant history of driving citations and safety violations,
17 and

18 WHEREAS, as a result of the collision, Ms. Laureiro
19 suffered a crushing blow to her head which caused bone and nerve
20 damage and she underwent reconstructive surgery, and

21 WHEREAS, as a result of the collision, Ms. Laureiro has
22 permanent numbness on the right side of her face due to damaged
23 cranial nerves, and

24 WHEREAS, Ms. Laureiro also suffered permanent injury to her
25 Achilles tendon, several fractures to her right leg, and a
26 subtalar joint dislocation to her right foot which required two
27 major orthopedic surgeries, and

28 WHEREAS, because of the extent of the break to and

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29 fragmentation of the bone in her foot, surgery could not achieve
30 complete alignment, and

31 WHEREAS, due to the resulting extensive arthritis and
32 progressive nature of her injury, Ms. Laureiro is unable to use
33 her foot normally, will need additional surgeries in the future,
34 experiences swelling of the foot, is in constant pain, and, as a
35 result, limps when she walks, which causes additional pain in
36 her hips, back, and legs, and

37 WHEREAS, since the accident, Ms. Laureiro has been under
38 the care of a neurologist for the nerve damage to her foot, leg,
39 and face and has also been on antidepressants since the
40 collision, and

41 WHEREAS, before the accident, Ms. Laureiro owned her own
42 business that involved driving children to and from school 5
43 days a week, but due to the nature of her foot injury, she is
44 unable to continue her driving business and has not worked since
45 the accident, and

46 WHEREAS, on September 3, 2003, a jury from the Miami-Dade
47 County Circuit Court returned a verdict in favor of Norka
48 Laureiro in the sum of \$1,550,685.38 and \$50,000 in favor of
49 Norka Laureiro's husband, Fredy Laureiro, for his loss of
50 consortium, and

51 WHEREAS, Defendant Miami-Dade County appealed the verdict
52 to the Third District Court of Appeal, and while the appeal was
53 pending, the parties resubmitted the case to mediation and
54 reached a settlement of \$1 million, and

55 WHEREAS, on March 29, 2005, the Circuit Court of the
56 Eleventh Judicial Circuit issued a final consent judgment

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57 against Miami-Dade County in favor of Norka Laureiro in the sum
58 of \$1 million, and

59 WHEREAS, \$900 has already been paid pursuant to the limits
60 of liability set forth in section 768.28, Florida Statutes, NOW,
61 THEREFORE,

62

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

64

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

67 Section 2. Miami-Dade County is authorized and directed to
68 appropriate from funds of the county not otherwise appropriated
69 and to draw a warrant payable to Norka Laureiro in the amount of
70 \$999,100 for injuries and damages she sustained due to the
71 negligence of Miami-Dade County.

72 Section 3. Payment for attorney's fees and costs incurred
73 by the claimant's attorneys shall not exceed \$299,004. Payment
74 for the professional services and costs of lobbyists advocating
75 for passage of this claim shall not exceed \$10,000.

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