

1 A bill to be entitled
2 An act relating to Miami-Dade County; providing for the
3 relief of Schneidine Theogene, a minor, by and through her
4 parent and natural guardian, Jeanne Coicou, to compensate
5 Schneidine for injuries sustained as a result of the
6 negligence of a Miami-Dade County bus driver; providing
7 for an appropriation; providing a limitation on the
8 payment of fees and costs; providing an effective date.
9

10 WHEREAS, on November 24, 2004, in Miami-Dade County, Jeanne
11 Coicou was driving her minivan, which was occupied by her 7-
12 year-old daughter, Schneidine Theogene, and three other
13 occupants, when the operator of a Miami-Dade County bus failed
14 to stop at a red light causing the bus to collide into the
15 minivan, and

16 WHEREAS, because of the force of the collision and the
17 crash dynamics, Schneidine was ejected from the minivan and
18 sustained brain damage, rib fractures, and jaw fractures along
19 with other catastrophic and life-altering injuries even though
20 she was wearing a seatbelt, and

21 WHEREAS, Schneidine underwent various surgical procedures
22 and remained hospitalized at Jackson Memorial Hospital and
23 Jackson Memorial Rehabilitation Center for approximately 10
24 weeks, and

25 WHEREAS, Schneidine Theogene's medical expenses totaled
26 \$482,454.06, and

27 WHEREAS, Schneidine suffered substantial economic damages
28 relating to past and future care as well as vocational losses

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29 due to her severe injuries, and

30 WHEREAS, Thomas Gamboa, Ph.D., an economist, determined
31 that Schneidine's future economic losses ranged from \$27 million
32 to \$36 million, and

33 WHEREAS, the parties reached a settlement agreement by
34 mediation in which Miami-Dade County agreed to pay \$100,000 and
35 its insurance companies agreed to pay \$4 million, and

36 WHEREAS, Miami-Dade County also agreed to a claim bill in
37 the amount of \$2.4 million to conclude the total settlement,
38 NOW, THEREFORE,

39

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

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

44 Section 2. Miami-Dade County is authorized and directed to
45 appropriate from funds of the county not otherwise encumbered
46 and draw a warrant in the sum of \$2.4 million, payable to Jeanne
47 Coicou, parent and natural guardian of Schneidine Theogene.
48 After payment of any outstanding liens and attorney's fees,
49 costs, and lobbying fees as provided in section 3, the remainder
50 shall be placed in a Special Needs Trust created for the
51 exclusive use and benefit of Schneidine Theogene, a minor, as
52 compensation for injuries and damages sustained due to the
53 negligence of a bus driver employed by Miami-Dade County.

54 Section 3. This award is intended to provide the sole
55 compensation for all present and future claims arising out of
56 the factual situation described in this act which resulted in

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57 the injuries to Schneidine Theogene. The total amount paid for
58 attorney's fees, lobbying fees, costs, and other similar
59 expenses relating to this claim may not exceed 25 percent of the
60 amount awarded under this act.

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