

1 A bill to be entitled
2 An act for the relief of Stephen Hall; providing an
3 appropriation to compensate Stephen Hall for injuries
4 sustained as a result of the negligence of an employee of
5 the Department of Transportation; providing an effective
6 date.

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8 WHEREAS, on June 30, 1997, Stephen Hall was a passenger in
9 a vehicle driven by his father, Edward Hall, traveling westbound
10 on State Road 500 in Brevard County, Florida, and

11 WHEREAS, David Eaker, an employee of the Department of
12 Transportation, was stopped on the north shoulder of State Road
13 500, headed in the same direction as the Hall vehicle, and

14 WHEREAS, as the Hall vehicle approached his vehicle, David
15 Eaker pulled into the path of the Hall vehicle, resulting in a
16 collision between the two vehicles, and

17 WHEREAS, Stephen Hall was injured and was transported by
18 ambulance to Holmes Regional Medical Center in Melbourne, where
19 he was treated for multiple traumatic injuries, including
20 multiple facial fractures and lacerations; multiple intra-oral
21 mucosal lacerations; and orthopedic injuries to his right arm
22 and shoulder, neck, and both knees, and

23 WHEREAS, as a result of the injuries, Stephen Hall was
24 subjected to multiple surgeries and physical therapy, will
25 likely need additional surgery for the injuries in the future,
26 missed 2 years of school, has suffered from mood swings and
27 depression, and has permanent facial disfigurement and
28 continuing problems as a result of the injuries, and

29 WHEREAS, Stephen Hall's medical expenses total \$51,586.81
 30 to date, and

31 WHEREAS, David Eaker was determined to be at fault and was
 32 charged with failure to yield the right-of-way, and

33 WHEREAS, the Halls filed suit in the Eighteenth Judicial
 34 Circuit, in and for Brevard County, against the Department of
 35 Transportation in case number 05-2001-CA-006293, and

36 WHEREAS, the parties mediated the case and reached a
 37 settlement of all claims, and

38 WHEREAS, the parties entered into a settlement agreement in
 39 which the Department of Transportation admitted liability and
 40 agreed to the entry of a consent judgment in the amount of
 41 \$500,000, and

42 WHEREAS, the Department of Transportation has previously
 43 paid \$112,000 to the claimant and agreed to affirmatively
 44 support a claim bill in the amount of \$388,000, NOW, THEREFORE,

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

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

50 Section 2. The Executive Office of the Governor is
 51 directed to establish spending authority from unappropriated
 52 trust fund balances in the Department of Transportation in the
 53 amount of \$388,000 to a new category titled "Relief: Stephen
 54 Hall" as relief for injuries and damages sustained, which amount
 55 includes attorney's fees and costs.

56 Section 3. The Chief Financial Officer is directed to draw

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57 a warrant, pursuant to the Stipulated Settlement Agreement
58 executed by the Department of Transportation and Stephen Hall,
59 in the sum of \$388,000, upon funds of the Department of
60 Transportation in the State Treasury, and the Chief Financial
61 Officer is directed to pay the same out of funds in the State
62 Treasury.

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