



860046

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/15/2009	.	
	.	
	.	
	.	

The Committee on Criminal Justice (Siplin) recommended the following:

Senate Amendment (with title amendment)

Delete lines 62 - 82
and insert:

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

Section 2. The City of Ft. Lauderdale is authorized and directed to appropriate from funds of the city not otherwise appropriated and to draw a warrant in the amount of \$1,235,219.25, plus postjudgment interest at the statutory rate of 11 percent per annum, payable to Angela Isham, individually,



860046

12 and as co-personal representative of the Estate of David Isham,
13 deceased.

14 Section 3. This award is intended to provide the sole
15 compensation for all present and future claims arising out of
16 the factual situation described in this act which resulted in
17 the death of David Isham. The total amount paid for attorney's
18 fees, lobbying fees, costs, and other similar expenses relating
19 to this claim shall not exceed 25 percent of the amount awarded
20 under this act.

21
22 ===== T I T L E A M E N D M E N T =====

23 And the title is amended as follows:

24 Delete lines 32 - 58

25 and insert:

26 WHEREAS, the jury returned a verdict on February 1, 2008,
27 in favor of Mrs. Isham, and final judgment was entered in the
28 amount of \$1,435,219.25, plus postjudgment interest at the
29 statutory rate of 11 percent per annum, and

30 WHEREAS, the City of Ft. Lauderdale has paid only \$200,000
31 of the judgment and has not negotiated any settlement of the
32 remaining judgment, and

33 WHEREAS, the City of Ft. Lauderdale has approximately
34 \$2,023,594.52 in its Risk Management Fund which is available to
35 pay claims or judgment such as the one presented by Mrs. Isham,
36 but it has not done so to date, and

37 WHEREAS, the balance of the net jury verdict in the amount
38 of \$1,235,219.25 is sought through the submission of a claim
39 bill to the Legislature, NOW, THEREFORE,

40