

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Tobia offered the following:
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3 **Amendment**

4 Remove lines 14-169 and insert:

5 WHEREAS, on the evening of March 3, 1998, 18-year-old Eric
6 Brody, a college-bound high school senior, was returning home
7 from his part-time job. Eric was driving his 1982 AMC Concord
8 eastbound on Oakland Park Boulevard in Sunrise, Florida, and

9 WHEREAS, that same evening, Broward County Sheriff's Deputy
10 Christopher Thieman was driving his Broward County Sheriff's
11 Office cruiser westbound on Oakland Park Boulevard, and

12 WHEREAS, Eric Brody began to make a left-hand turn into his
13 neighborhood from Oakland Park Boulevard. Deputy Thieman was
14 driving in excess of the 45-mile-per-hour posted speed limit and
15 traveling in the opposite direction. Eric Brody's car cleared
16 two of the three westbound lanes on Oakland Park Boulevard, and
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17 WHEREAS, the front end of Deputy Thieman's car struck the
18 passenger side of Eric's car with great force, just behind the
19 right front wheel and near the passenger door, and

20 WHEREAS, Eric Brody was airlifted by helicopter to Broward
21 General Hospital where he was placed on a ventilator and
22 underwent an emergency craniotomy and neurosurgery. He began to
23 recover from a deep coma more than 7 months after his injury and
24 underwent extensive rehabilitation, having to relearn how to
25 walk, talk, feed himself, and perform other basic functions, and

26 WHEREAS, on December 1, 2005, after a 2-month trial, a
27 Broward County jury found that Deputy Thieman and the Broward
28 County Sheriff's Office were 100 percent negligent, and Eric
29 Brody was not comparatively negligent, and

30 WHEREAS, final judgment was entered for \$30,609,298, and
31 the court entered a cost judgment for \$270,372.30, and

32 WHEREAS, all legal remedies for all parties involved have
33 been exhausted, and this case is ripe for a claim bill, and

34 WHEREAS, the Broward County Sheriff's Office has paid
35 \$200,000 pursuant to s. 768.28, Florida Statutes, and the final
36 judgment and cost judgment remainder in the amount of
37 \$30,679,298.30 is sought through the submission of a claim bill
38 to the Legislature, NOW, THEREFORE,

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