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1 A bill to be entitled
2 An act for the relief of Eric Brody by the Broward County
3 Sheriff's Office; providing for an appropriation to
4 compensate Eric Brody for injuries sustained as a result
5 of the negligence of the Broward County Sheriff's Office;
6 providing a limitation on the payment of fees and costs;
7 providing an effective date.

8
9 WHEREAS, on the evening of March 3, 1998, 18-year-old Eric
10 Brody was returning home from his part-time job at the Sawgrass
11 Mills Sports Authority, driving his 1982 AMC Concord eastbound
12 on Oakland Park Boulevard in Sunrise, Florida, and

13 WHEREAS, that same evening, Broward County Sheriff's Deputy
14 Christopher Thieman was driving his Broward County Sheriff's
15 Office cruiser westbound on Oakland Park Boulevard on his way to
16 work at the Weston Station, and

17 WHEREAS, at approximately 10:36 p.m., Eric Brody attempted
18 to make a left-hand turn into his neighborhood at the
19 intersection of N.W. 117th Avenue and Oakland Park Boulevard,
20 and

21 WHEREAS, Deputy Thieman's vehicle struck the passenger side
22 of Eric Brody's car, and

23 WHEREAS, Eric Brody suffered severe injuries as a result of
24 the collision, resulting in Eric Brody being disabled, and

25 WHEREAS, the Brody family alleged in their lawsuit against
26 the Broward County Sheriff's Office that Deputy Thieman was
27 negligent in the operation of his vehicle, and

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28 WHEREAS, on December 1, 2005, a Broward County jury found
29 that Deputy Thieman and the Broward County Sheriff's Office were
30 100 percent negligent and Eric Brody was not comparatively
31 negligent, and rendered a verdict in favor of the then 25-year-
32 old Eric Brody and his legal guardians, and

33 WHEREAS, judgment was entered shortly after the jury
34 verdict and has become final, and

35 WHEREAS, the Broward County Sheriff's Office had a
36 liability insurance policy issued by Ranger Insurance Company
37 that affords coverage for Eric Brody's claims against the
38 Broward County Sheriff's Office up to the policy limit of
39 \$3,000,000, and

40 WHEREAS, Ranger Insurance Company has paid, on behalf of
41 the Broward County Sheriff's Office, \$200,000 pursuant to the
42 limits of liability set forth under s. 768.28, Florida Statutes,
43 and, therefore, all legal remedies have been exhausted and a
44 claim bill is the only avenue available to further compensate
45 Eric Brody for his injuries, and

46 WHEREAS, it is in the interest of Eric Brody, his legal
47 guardians, and the Broward County Sheriff's Office to reach a
48 final resolution of all claims arising out of Eric Brody's
49 injury, and

50 WHEREAS, the remaining insurance coverage available to the
51 Broward County Sheriff's Office under its liability insurance
52 policy issued by Ranger Insurance Company for the claims brought
53 against the Broward County Sheriff's Office by Eric Brody and
54 his legal guardians is \$2,800,000, and

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55 WHEREAS, Ranger Insurance Company has agreed to pay the sum
56 of \$2,800,000, the remaining insurance coverage available on its
57 policy, to fund this claim bill, NOW, THEREFORE,
58

59 Be It Enacted by the Legislature of the State of Florida:
60

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

63 Section 2. The Sheriff of Broward County is authorized and
64 directed to draw a warrant payable to Eric Brody and his legal
65 guardians in the sum of \$2,800,000 upon payment of such sum to
66 the Broward County Sheriff's Office by its liability insurer,
67 Ranger Insurance Company, as full compensation for injuries and
68 damages sustained by Eric Brody and his legal guardians.

69 Section 3. The amount awarded under this act is pursuant
70 to the waiver of sovereign immunity permitted under s. 768.28,
71 Florida Statutes, and is intended to provide the sole
72 compensation for all claims against the Broward County Sheriff's
73 Office, any and all persons employed by the Broward County
74 Sheriff's Office presently or in the past, and Ranger Insurance
75 Company, including all affiliates and agents thereof, arising
76 out of the fact of or in any manner related to the injuries to
77 Eric Brody and the subsequent management of the claim and the
78 litigation. Upon tender by the Broward County Sheriff's Office
79 of the sum specified in section 2, the Broward County Sheriff's
80 Office, any and all persons employed by the Broward County
81 Sheriff's Office presently or in the past, and Ranger Insurance
82 Company, including all affiliates and agents thereof, shall be

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83 deemed to have satisfied any and all obligations to Eric Brody
84 and any other persons for all injuries and damages arising out
85 of the fact of or in any manner related to the injuries to Eric
86 Brody and the subsequent management of the claim and the
87 litigation. Upon accepting the tender by the Broward County
88 Sheriff's Office, Eric Brody and his guardians shall
89 simultaneously provide to the Broward County Sheriff's Office
90 and Ranger Insurance Company, including all affiliates and
91 agents thereof, a complete release and satisfaction of judgment
92 with respect to any and all obligations to Eric Brody and any
93 other persons for all injuries and damages arising out of the
94 fact of or in any manner related to the injuries to Eric Brody
95 and the subsequent management of the claim and the litigation.

96 Section 4. The total amount paid for attorney's fees,
97 lobbying fees, costs, and other similar expenses relating to the
98 adoption of this act is to be paid only to the claimant's
99 attorneys and lobbyists and may not exceed 25 percent of the
100 total amount awarded under section 2.

101 Section 5. This act shall take effect upon becoming a law.