

1 A bill to be entitled

2 An act for the relief of Kareem Hawari by the Osceola  
3 County School Board; providing an appropriation to  
4 Kareem Hawari to compensate him for injuries and  
5 damages sustained as a result of the negligence of  
6 employees of the Osceola County School Board;  
7 providing a limitation on the payment of attorney  
8 fees; providing an effective date.  
9

10 WHEREAS, on March 5, 2010, at approximately 6 p.m., then  
11 13-year-old Kareem Hawari was participating in a wrestling match  
12 sponsored by Harmony Community School in the School District of  
13 Osceola County, and

14 WHEREAS, the wrestling match was supervised by coaches  
15 employed by the Osceola County School Board, each of whom had a  
16 duty to adequately supervise student athletes participating in  
17 school-sponsored athletic events by receiving proper training,  
18 by providing adequate instruction to student athletes,  
19 reasonably selecting or matching student athletes to others in  
20 their same weight class for purposes of competition, and  
21 monitoring athletic training and events, and

22 WHEREAS, Kareem Hawari's coach did not receive any formal  
23 training and failed to provide Kareem Hawari with adequate  
24 instruction before the match, and

25 WHEREAS, Kareem Hawari was matched with a student athlete

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26 | who was larger, stronger, and more experienced, and who finished  
27 | the 2010 and 2011 seasons as a county champion wrestler, and  
28 |       WHEREAS, due to the negligent supervision of the coaches,  
29 | Kareem Hawari hit his head on the ground during the match and  
30 | suffered a brainstem hemorrhage, which resulted in a traumatic  
31 | brain injury that affects his motor coordination and ability to  
32 | speak, and

33 |       WHEREAS, Kareem Hawari was hospitalized at Osceola Regional  
34 | Medical Center in Kissimmee on March 5, 2010, and was then  
35 | transported by helicopter to Arnold Palmer Hospital for Children  
36 | in Orlando, where he was admitted from March 6 to May 4, 2010,  
37 | and

38 |       WHEREAS, Kareem Hawari underwent surgery on March 8, 2010,  
39 | to relieve pressure on his brain and had an additional surgery  
40 | on March 24, 2010, and

41 |       WHEREAS, Kareem Hawari was thereafter transferred to Brooks  
42 | Rehabilitation in Jacksonville, where he was a patient from May  
43 | 4 to June 30, 2010, and

44 |       WHEREAS, Kareem Hawari received physical therapy at Florida  
45 | Hospital Sports Medicine and Rehabilitation in Altamonte Springs  
46 | on an outpatient basis from July 12 to October 1, 2014, and

47 |       WHEREAS, Kareem Hawari seeks to recover damages for his  
48 | injuries, which include a permanent injury to his body as a  
49 | whole, past and future pain and suffering of both physical and  
50 | mental natures, disability, physical impairment, disfigurement,

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51 | mental anguish, inconvenience, loss of capacity for the  
52 | enjoyment of life, expense of hospitalization, medical and  
53 | nursing care and treatment, loss of ability to earn money, and  
54 | loss of ability to lead and enjoy a normal life, and

55 |       WHEREAS, Kareem Hawari incurred medical expenses in the  
56 | amount of \$708,309.92 and is permanently and totally disabled  
57 | and unable to engage in any employment, and

58 |       WHEREAS, Kareem Hawari lived a full and vigorous life  
59 | before his injury on March 5, 2010, had a zest for life, and was  
60 | active in recreational, social, and sporting activities, and

61 |       WHEREAS, Kareem Hawari requires continuous assistance with  
62 | activities of daily living and ongoing treatment for his  
63 | injuries, and

64 |       WHEREAS, Kareem Hawari filed a lawsuit against the Osceola  
65 | County School Board and the Foundation for Osceola Education in  
66 | the Osceola County Circuit Court, alleging that the coaches in  
67 | their employ had negligently supervised the wrestling match,  
68 | causing his injuries, and

69 |       WHEREAS, after extensive discovery and pretrial  
70 | preparation, the parties settled the case in the amount of \$3.6  
71 | million, of which \$100,000 has been paid in accordance with the  
72 | statutory limits of liability in s. 768.28, Florida Statutes  
73 | 2010, NOW, THEREFORE,

74 |  
75 | Be It Enacted by the Legislature of the State of Florida:

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

79       Section 2. The Osceola County School Board is authorized  
80 and directed to appropriate from funds of the school board not  
81 otherwise encumbered and to draw a warrant in the sum of \$3.5  
82 million payable to Kareem Hawari as compensation for injuries  
83 and damages sustained.

84       Section 3. The amount paid by the Osceola County School  
85 Board and the amount awarded under this act are intended to  
86 provide the sole compensation for all present and future claims  
87 arising out of the factual situation described in this act which  
88 resulted in injuries and damages to Kareem Hawari. The total  
89 amount paid for attorney fees relating to this claim may not  
90 exceed 25 percent of the total amount awarded under this act.

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