

By Senator Bernard

24-00515-25

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1 A bill to be entitled
2 An act for the relief of Jacob Rodgers by the City of
3 Gainesville; providing for an appropriation to
4 compensate Jacob Rodgers for injuries sustained as a
5 result of the negligence of an employee of the City of
6 Gainesville; providing a limitation on compensation
7 and the payment of attorney fees; providing an
8 effective date.

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10 WHEREAS, on October 7, 2015, Jacob Rodgers was a passenger
11 in a vehicle when it was struck by a vehicle owned by the City
12 of Gainesville, d/b/a Gainesville Regional Utilities, and
13 operated by an employee, and

14 WHEREAS, the City of Gainesville, d/b/a Gainesville
15 Regional Utilities, employee ran a stop sign and struck the side
16 of the vehicle occupied by Mr. Rodgers, and

17 WHEREAS, Mr. Rodgers, who was 20 years old at the time,
18 sustained catastrophic injuries, including spinal fractures that
19 resulted in Mr. Rodgers becoming a paraplegic, which will
20 require him to receive supervised medical care, home health
21 care, future medical care, and other services in the future, and

22 WHEREAS, Mr. Rodgers brought suit against the City of
23 Gainesville, d/b/a Gainesville Regional Utilities, in the
24 Circuit Court of the Eighth Judicial Circuit in and for Alachua
25 County under case number 2016-CA-000659, and

26 WHEREAS, the suit was tried before an Alachua County jury,
27 and the jury found the City of Gainesville 100 percent at fault
28 and assessed total damages of \$120 million, and

29 WHEREAS, the trial court ordered a remittitur, which

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30 resulted in a final judgment of \$18,319,181.20, and

31 WHEREAS, the City of Gainesville appealed the final
32 judgment, resulting in Mr. Rodgers agreeing to the remittitur of
33 \$18,319,181.20 and the City of Gainesville obtaining a new trial
34 on the issue of comparative negligence of Mr. Rodgers, and the
35 damage award of \$18,319,181.20 was not reversed by the trial
36 court, and

37 WHEREAS, the parties mediated the case pursuant to a court
38 order and reached a settlement agreement that the City of
39 Gainesville, d/b/a Gainesville Regional Utilities, would consent
40 to a final judgment of \$11 million, and

41 WHEREAS, the Gainesville Regional Utilities Authority board
42 adopted and approved the settlement agreement, and

43 WHEREAS, the City of Gainesville paid the statutory limit
44 of \$200,000 under s. 768.28, Florida Statutes, 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 are
49 found and declared to be true.

50 Section 2. The City of Gainesville is authorized and
51 directed to appropriate from funds not otherwise encumbered and
52 to draw a warrant in the sum of \$10.8 million payable to Jacob
53 Rodgers as compensation for injuries and damages sustained.

54 Section 3. The amount paid by the City of Gainesville
55 pursuant to s. 768.28, Florida Statutes, and the amount awarded
56 under this act are intended to provide the sole compensation for
57 all present and future claims arising out of the factual
58 situation described in this act which resulted in injuries and

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59 damages to Jacob Rodgers. The total amount paid for attorney
60 fees relating to this claim may not exceed 25 percent of the
61 total amount awarded under this act.

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