

1 A bill to be entitled
 2 An act for the relief of Eric Brody by the Broward
 3 County Sheriff's Office; providing for an
 4 appropriation to compensate Eric Brody for injuries
 5 sustained as a result of the negligence of the Broward
 6 County Sheriff's Office; providing a limitation on the
 7 payment of fees and costs related to the claim against
 8 the Broward County Sheriff's Office; providing
 9 legislative intent regarding lien interests held by
 10 the state; providing an effective date.

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 12 WHEREAS, on March 3, 1998, Eric Brody was driving home in
 13 his 1982 AMC Concord eastbound on Oakland Park Boulevard in
 14 Sunrise, Florida, and

15 WHEREAS, that same evening, Broward County Sheriff's Deputy
 16 Christopher Thieman was driving his Broward County Sheriff's
 17 Office cruiser on his way to work, and

18 WHEREAS, Deputy Thieman struck Eric Brody's car, leaving
 19 Eric profoundly injured, and

20 WHEREAS, the case was tried to a jury and the court
 21 rendered a final judgment of \$30,879,670.30, and

22 WHEREAS, the parties have reached a settlement in the
 23 amount of \$10,750,000, with other terms of value, and \$200,000
 24 has been paid pursuant to the limits of liability set forth in
 25 s. 768.28, Florida Statutes, NOW, THEREFORE,

26
 27 Be It Enacted by the Legislature of the State of Florida:
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29 Section 1. The facts stated in the preamble to this act
 30 are found and declared to be true.

31 Section 2. The insurer of the Sheriff of Broward County
 32 has agreed to pay, and is authorized and directed to pay,
 33 \$10,750,000 on behalf of the Broward County Sheriff's Office to
 34 the Guardianship of Eric Brody to be placed in a special needs
 35 trust created for the exclusive use and benefit of Eric Brody as
 36 compensation by the Broward County Sheriff's Office and its
 37 insurer, Fairmont Specialty Insurance Company, f/k/a Ranger
 38 Insurance Company, for injuries brought about by the facts set
 39 forth in the preamble of this act.

40 Section 3. The amount awarded under this act is intended
 41 to provide the sole compensation for all present and future
 42 claims, including all attorney fees, lobbying fees, and related
 43 costs, arising out of the factual situation described in this
 44 act which resulted in the injuries to Eric Brody, and hereby
 45 releases the Broward County Sheriff's Office and Fairmont
 46 Specialty Insurance Company, f/k/a Ranger Insurance Company, the
 47 Broward County Board of County Commissioners, Broward County,
 48 and Christopher Thieman from any further liability. The total
 49 amount of attorney fees, lobbying fees, and related costs may
 50 not exceed 15 percent of the first \$1,000,000 awarded under this
 51 act, 10 percent of the second \$1,000,000 awarded under this act,
 52 and 5 percent of the next \$3,000,000 awarded under this act, for
 53 a total of \$400,000.

54 Section 4. It is the intent of the Legislature that the
 55 lien interests relating to the claim of the Guardianship of Eric
 56 Brody for the treatment and care of Eric Brody, including

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2012

57 | Medicaid liens in excess of the sovereign immunity cap, are
58 | hereby waived or extinguished.

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