

Senate Bill No. 48

An act relating to the City of Clearwater; providing for the relief of Paul W. Gilfoyle, through his guardian Anne-Marie Cherokee Lindsey, for damages sustained in a collision with a police car driven by a city patrolman; providing an effective date.

WHEREAS, on September 5, 1993, Paul W. Gilfoyle sustained multiple injuries, including a closed head injury, as a result of a motor vehicle accident between a vehicle that he was operating and a police vehicle owned by the City of Clearwater, Florida, which accident occurred at the intersection of U.S. 19 and Drew Street in Clearwater, Pinellas County, Florida, and

WHEREAS, as a result of the accident, Paul W. Gilfoyle was rendered totally incapacitated, and a court has appointed Anne-Marie Cherokee Lindsey as plenary guardian of Mr. Gilfoyle's person and property, and

WHEREAS, the parties entered into a settlement agreement in the amount of \$325,000, of which the City of Clearwater is to pay the statutory limit of \$100,000 by means of a check made payable to Anne-Marie Cherokee Lindsey as guardian of Paul W. Gilfoyle; Daniel Newman, attorney; and Florida Health Sciences Center, and

WHEREAS, the city has also agreed not to contest or object to enactment of a claim bill for the remaining \$225,000, NOW, THEREFORE,

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

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

Section 2. The City of Clearwater is authorized and directed to compensate Anne-Marie Cherokee Lindsey, as guardian of Paul W. Gilfoyle, in the amount of \$225,000 for injuries and damages sustained in a collision between an automobile driven by Mr. Gilfoyle and a police car driven by a City of Clearwater patrolman, such compensation to be paid out of funds of the city not otherwise allocated and to be used to pay legal fees incurred on Mr. Gilfoyle's behalf as a result of such accident and to fund a special needs trust for the future care of Mr. Gilfoyle.

Section 3. This act shall take effect upon becoming a law.

Approved by the Governor April 5, 1999.

Filed in Office Secretary of State April 5, 1999.