

CHAPTER 2012-230

Committee Substitute for Senate Bill No. 4

An act for the relief of Eric Brody by the Broward County Sheriff's Office; providing for an appropriation to compensate Eric Brody for injuries sustained as a result of the negligence of the Broward County Sheriff's Office; providing a limitation on the payment of fees and costs related to the claim against the Broward County Sheriff's Office; providing legislative intent regarding lien interests held by the state; providing an effective date.

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

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

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

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

WHEREAS, the parties have reached a settlement in the amount of \$10,750,000, with other terms of value, and \$200,000 has been paid pursuant to the limits of liability set forth in s. 768.28, Florida Statutes, 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 insurer of the Sheriff of Broward County has agreed to pay, and is authorized and directed to pay, \$10,750,000 on behalf of the Broward County Sheriff's Office to the Guardianship of Eric Brody to be placed in a special needs trust created for the exclusive use and benefit of Eric Brody as compensation by the Broward County Sheriff's Office and its insurer, Fairmont Specialty Insurance Company, f/k/a Ranger Insurance Company, for injuries brought about by the facts set forth in the preamble of this act.

Section 3. The amount awarded under this act is intended to provide the sole compensation for all present and future claims, including all attorney fees, lobbying fees, and related costs, arising out of the factual situation described in this act which resulted in the injuries to Eric Brody, and hereby releases the Broward County Sheriff's Office and Fairmont Specialty

Insurance Company, f/k/a Ranger Insurance Company, the Broward County Board of County Commissioners, Broward County, and Christopher Thie-
man from any further liability. No part of the amount awarded under this act
may be used toward the payment of attorney fees, lobbying fees, costs, or
other similar expenses incurred on behalf of the Guardianship of Eric Brody
in pursuit of this claim or the related underlying litigation.

Section 4. It is the intent of the Legislature that the lien interests
relating to the claim of the Guardianship of Eric Brody for the treatment and
care of Eric Brody, including Medicaid liens, are hereby waived or
extinguished.

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

Approved by the Governor March 29, 2012.

Filed in Office Secretary of State March 29, 2012.