

CHAPTER 2022-264

Committee Substitute for House Bill No. 6513

An act for the relief of Kareem Hawari by the Osceola County School Board; providing an appropriation to Mr. Hawari to compensate him for injuries and damages sustained as a result of the negligence of employees of the Osceola County School Board; providing limitations on the total amounts paid for certain fees, costs, and expenses; providing an effective date.

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

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

WHEREAS, Mr. Hawari's coach did not receive any formal training and failed to provide Mr. Hawari with adequate instruction before the match, and

WHEREAS, Mr. Hawari was matched with a student athlete who was larger, stronger, and more experienced and who finished the 2010 and 2011 seasons as a county champion wrestler, and

WHEREAS, due to the negligent supervision of the coaches, Mr. Hawari hit his head on the ground during the match and suffered a brainstem hemorrhage that resulted in a traumatic brain injury that affects his motor coordination and ability to speak, and

WHEREAS, Mr. Hawari was hospitalized at Osceola Regional Medical Center in Kissimmee on March 5, 2010, and was then transported by helicopter to Arnold Palmer Hospital for Children in Orlando, where he was admitted from March 6 to May 4, 2010, and

WHEREAS, Mr. Hawari underwent surgery on March 8, 2010, to relieve pressure on his brain and had an additional surgery on March 24, 2010, and

WHEREAS, Mr. Hawari was thereafter transferred to Brooks Rehabilitation in Jacksonville, where he was a patient from May 4 to June 30, 2010, and

WHEREAS, Mr. Hawari received physical therapy at Florida Hospital Sports Medicine and Rehabilitation in Altamonte Springs on an outpatient basis from July 12 to October 1, 2014, and

WHEREAS, Mr. Hawari seeks to recover damages for his injuries, which include a permanent injury to his body as a whole, past and future pain and suffering of both a physical and mental nature, disability, physical impairment, disfigurement, mental anguish, inconvenience, expense of hospitalization, medical and nursing care and treatment, loss of ability to earn money, and loss of ability to lead and enjoy a normal life, and

WHEREAS, Mr. Hawari incurred medical expenses in the amount of \$708,309.92 and is permanently and totally disabled and unable to engage in any employment, and

WHEREAS, Mr. Hawari lived a full and vigorous life before his injury on March 5, 2010, had a zest for life, and was active in recreational, social, and sporting activities, and

WHEREAS, Mr. Hawari requires continuous assistance with activities of daily living and ongoing treatment for his injuries, and

WHEREAS, Mr. Hawari filed a lawsuit against the Osceola County School Board in the Circuit Court of the Ninth Judicial Circuit, in and for Osceola County, alleging that the coaches in their employ had negligently supervised the wrestling match, causing his injuries, and

WHEREAS, after extensive discovery and pretrial preparation, the parties reached a settlement agreement in the amount of \$3.6 million, of which \$100,000 has been paid pursuant to the limits of liability in former s. 768.28, Florida Statutes (2010), and the remainder is conditioned upon the passage of a claim bill, 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 Osceola County School Board is authorized and directed to appropriate from funds of the school board not otherwise encumbered and to draw a warrant in the sum of \$3.5 million payable to Kareem Hawari as compensation for injuries and damages sustained.

Section 3. The amount paid by the Osceola County School Board pursuant to former s. 768.28, Florida Statutes (2010), and the amount awarded under this act are intended to provide the sole compensation for all present and future claims arising out of the factual situation described in this act which resulted in injuries and damages to Kareem Hawari. Of the amount awarded under this act, the total amount paid for attorney fees and lobbying fees may not exceed \$875,000 and the total amount paid for costs or other similar expenses may not exceed \$9,961.51.

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

Approved by the Governor May 25, 2022.

Filed in Office Secretary of State May 25, 2022.