

## CLAIMS BILL FOR PARALYZED BROWARD MAN CLEARS SENATE

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THE CAPITAL, TALLAHASSEE... A record-setting \$30.7 million claims bill for a Broward man, paralyzed after he was hit by a sheriff's deputy speeding to work, was given the OK by a Senate committee Tuesday.

Eric Brody was a high school senior in 1998 when he was hit by a sheriff's deputy who was running late for work. Brody was in a coma for six months, and now is confined to a wheelchair with severe brain damage and a limited ability to speak.

A jury awarded Brody more than \$30 million; however, in Florida, the Legislature must approve claims of more than \$200,000 against governmental entities.

The sheriff's insurance company has largely refused to pay Brody's claim for years and the dialogue has dragged on for almost 11 years now, with the family still waiting to see the money to help provide for their son's care.

We've waited 11 years, another is no different, his mother Sharon said after the Senate committee approved the bill.

A House committee balked at the proposal a month ago, fearing that if the court does not find that the insurance company had acted in bad faith in its dealings with the Brody family that the county, and ultimately the state, would be left on the hook to pay the claim. If approved, the \$30.7 million claim would be the largest claim by the Legislature in Florida's history.

Barry Richard, an attorney for the sheriff's office, cautioned lawmakers against approving so high a claim. He said there was nothing in the Brody case particularly different, in terms of his injury, from earlier cases with much lower awards.

But a new amendment in the Senate bill would release the Broward Sheriff's office from liability of more than \$200,000 and allow the Brody family to pursue the bad faith claim against the insurance company.

Lance Block, an attorney for the Brody family, said the family is still fighting for the House to take up the bill. He said the new amendment may convince House members who were previously wary about supporting the bill.

However, no additional committee meetings have been scheduled for the House Civil Justice and Courts Policy Council, which would need to approve the measure before it heads to the floor.

We've got two weeks and there's no reason for the House to not take up this bill,

he said.

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