



THE FLORIDA SENATE

SPECIAL MASTER ON CLAIM BILLS

Location
408 The Capitol

Mailing Address
404 South Monroe Street
Tallahassee, Florida 32399-1100
(850) 487-5237

November 16, 2000

SPECIAL MASTER'S FINAL REPORT	DATE	COMM	ACTION
President of the Senate Suite 409, The Capitol Tallahassee, Florida 32399-1100	11/16/00	SM CA FR	Unfavorable

Re: SB 80 – Senator Betty Holzendorf
Relief of Nicholas Maracic

THIS IS A CLAIM FOR \$180,285 OUT OF THE FUNDS OF BROWARD COUNTY TO COMPENSATE NICHOLAS MARACIC FOR INJURIES AND DAMAGES HE SUSTAINED WHEN INJURED BY A COUNTY BUS DRIVEN BY A COUNTY EMPLOYEE.

FINDINGS OF FACT:

On November 28, 1987, Nicholas Maracic was riding his motorcycle in Broward County and was hit by a Broward County bus.

During the week of June 4, 1990, the case went to trial in Broward County, case number 88-30965-12.

The jury returned a verdict for Nicholas Maracic in the amount of \$380,285. Broward County did not appeal the jury verdict.

Broward County paid \$100,000 of the \$380,285 jury verdict pursuant to s. 768.28, F.S.

The claimant did not provide the Special Master with information necessary to review the claim. After several requests for information were made by the Special Master, Mr. Maracic's attorney, Holly D. Krulik, by letter dated September 27, 2000, advised that ". . . we have decided not to pursue the Maracic Claims Bill this session. Our intention is to refile it in the future."

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Thereafter, by letter dated October 20, 2000, Senator Forman advised the Rules Committee that he wished to withdraw the bill from further consideration.

As a result of the foregoing, no legislative hearing on the matter was conducted by the Special Master.

CONCLUSIONS OF LAW:

As the claimant determined not to pursue the claim this year this case was not reviewed on the merits.

ATTORNEYS FEES:

Not applicable.

RECOMMENDATIONS:

Without determining this case on the merits, based only upon a procedural request of the claimant's attorney of record that this case not be reviewed this year, it is recommended that Senate Bill 80 be reported UNFAVORABLY.

Respectfully submitted,

James Rhea
Senate Special Master

cc: Senator Betty Holzendorf
Faye Blanton, Secretary of the Senate
House Claims Committee