

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

TAVEE RUSS,)
)
 Petitioner,)
)
 vs.) Case No. 01-4901MA
)
 INTRACOASTAL HEALTHCARE SYSTEMS,)
 INC., d/b/a GOOD SAMARITAN)
 MEDICAL CENTER,)
)
 Respondent.)
 _____)

ARBITRATION AWARD

The final arbitration hearing in this case was held before Linda M. Rigot, Chief Arbitrator; J. Brad Moores, Arbitrator; and Stephen W. Schwed, Arbitrator, on August 16, 2002, in West Palm Beach, Florida.

APPEARANCES

For Claimant: Robert T. Bergin, Jr., Esquire
Robert T. Bergin, P.A.
506 Datura Street, Suite B
West Palm Beach, Florida 33401

For Defendant: Roy R. Watson, II, Esquire
Adams, Coogler, Watson, Merkel,
Barry & Kellner, P.A.
NationsBank Tower, Suite 1600
1555 West Palm Beach Lakes Boulevard
West Palm Beach, Florida 33402-2069

AWARD

At the conclusion of the arbitration hearing, the following award was agreed to by all three arbitrators and announced on the record pursuant to Section 766.207, Florida Statutes:

| | |
|---|---------------|
| Non-economic damages | \$100,000 |
| Economic damages | 41,000 |
| Claimant's attorney's fees and costs | <u>21,150</u> |
| Total award | \$162,150 |

Defendant Intracoastal Healthcare Systems, Inc., d/b/a Good Samaritan Medical Center shall also pay the costs of the arbitration proceeding, including the fees for Arbitrator Moores and Arbitrator Schwed. By agreement of the parties, Arbitrators Moores and Schwed shall each be paid the sum of \$750, for a total amount of \$1,500.

DONE AND ENTERED this 20th day of August, 2002, in Tallahassee, Leon County, Florida.

LINDA M. RIGOT
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675 SUNCOM 278-9675
Fax Filing (850) 921-6847
www.doah.state.fl.us

Filed with the Clerk of the
Division of Administrative Hearings
this 20th day of August, 2002.

COPIES FURNISHED:

Robert T. Bergin, Jr., Esquire
Robert T. Bergin, Jr., P.A.
506 Datura Street, Suite B
West Palm Beach, Florida 33401

Roy R. Watson, II, Esquire
Adams, Coogler, Watson, Merkel,
Barry & Kellner, P.A.
NationsBank Tower, Suite 1600
1555 Palm Beach Lakes Boulevard
West Palm Beach, Florida 33402-2069

J. Brad Moores, Esquire
Montgomery & Larson, LLP
1016 Clearwater Place
West Palm Beach, Florida 33401

Stephen W. Schwed, Esquire
Kubicki & Draper, et al.
1645 Palm Beach Lakes Boulevard, No. 1100
West Palm Beach, Florida 33401