

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

MERCEDES AFONSO, AS SURVIVING )  
SPOUSE AND PERSONAL )  
REPRESENTATIVE OF THE ESTATE OF )  
ALEXIS AFONSO, DECEASED, )  
 )  
Claimant, )  
 )  
vs. ) Case No. 06-3916MA  
 )  
LIFEMARK HOSPITALS OF FLORIDA, )  
INC., d/b/a PALMETTO GENERAL )  
HOSPITAL, )  
 )  
Defendant. )  
\_\_\_\_\_ )

ARBITRATION AWARD

The final arbitration hearing in this case was held before  
Linda M. Rigot, Chief Arbitrator; Richard P. Cole, Arbitrator;  
and Gary D. Fox, Arbitrator, on May 30, 2007, in Miami, Florida.

APPEARANCES

For Claimant: Charles H. Baumberger, Esquire  
Peter S. Baumberger, Esquire  
Rossman, Baumberger & Reboso, P.A.  
44 West Flagler Street, Suite 2300  
Miami, Florida 33130-1808

For Defendant: Norman M. Waas, Esquire  
Glenn P. Falk, Esquire  
Cortina, Solomon & Bonner, P.A.  
113 Almeria Avenue  
Coral Gables, Florida 33134

AWARD

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

Non-economic damages	\$ 250,000
Loss of services	
Past	15,762
Future	132,358
Loss of earning capacity	
Past	138,846
Future	<u>598,026</u>
Total award	\$ 1,134,992

The award shall be paid by periodic payments to the Claimant as follows:

By June 18, 2007	\$ 648,069
By June 18, 2008	243,462
By June 18, 2009	243,461

Defendant shall pay no later than June 18, 2007, the amount of \$5,000 each to Arbitrators Cole and Fox as their arbitrator's fee. Further, Defendant shall pay the costs of the arbitration proceeding.

Ruling has been reserved as to the amount of reasonable attorney's fees and costs to be paid to the Claimant's attorneys. The parties shall have ten days from the date of

this written Arbitration Award by which to notify the undersigned in writing as to whether the dispute as to reasonable attorney's fees and costs has been resolved. If it has not been resolved by then, the parties' joint status report shall include their agreement as to how and when to re-convene the arbitration panel so that the panel can determine the amount of reasonable attorney's fees and costs to be paid by Defendant to Claimant's attorneys.

DONE AND ORDERED this 1st day of June, 2007, in Tallahassee, Leon County, Florida.

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LINDA M. RIGOT, Chief Arbitrator  
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 1st day of June, 2007.

COPIES FURNISHED:

Norman M. Waas, Esquire  
Glenn P. Falk, Esquire  
Cortina, Solomon & Bonner, P.A.  
113 Almeria Avenue  
Coral Gables, Florida 33134

Charles H. Baumberger, Esquire  
Peter S. Baumberger, Esquire  
Rossman, Baumberger & Reboso, P.A.  
44 West Flagler Street, Suite 2300  
Miami, Florida 33130-1808

Richard P. Cole, Esquire  
Cole, Scott & Kissane, P.A.  
1390 Brickell Avenue, Third Floor  
Miami, Florida 33131

Gary D. Fox, Esquire  
Stewart, Tilghman, Fox & Bianchi, P.A.  
One Southeast Third Avenue, Suite 3000  
Miami, Florida 33131-1764