

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

ROCK POLLOCK, SR., AND SHAWNA)
M. POLLOCK, on behalf of and as)
parents and natural guardians)
of ROCK POLLOCK, JR., a minor,)
)
Petitioners,)
)
vs.) Case No. 08-4224N
)
FLORIDA BIRTH-RELATED)
NEUROLOGICAL INJURY)
COMPENSATION ASSOCIATION,)
)
Respondent,)
)
and)
)
LAURA L. DANNER, CNM, GULF)
COAST OBSTETRICS & GYNECOLOGY,)
LTD, f/k/a CORCORAN, EASTERLING)
& DOYLE-VALLERY, LTD., AND)
SARASOTA COUNTY PUBLIC HOSPITAL)
DISTRICT,)
)
Intervenors.)
)
_____)

FINAL ORDER APPROVING STIPULATION FOR PAST
EXPENSES, ATTORNEY'S FEES, AND COSTS

A Stipulation Resolving Claims for Past Expenses,
Attorney's Fees and Costs (Stipulation) was filed by
Petitioners, Rock Pollock, Sr. and Shawna M. Pollock, and
Respondent, Florida Birth-Related Neurological Injury
Compensation Association (NICA), on February 19, 2013,
requesting that a final order be entered approving the

Stipulation. The Stipulation applies to the claims presented in Petitioners' Motion to Determine Reimbursement of Past Expenses filed March 26, 2012; Petitioners' Motion to Determine the Amount of Reasonable Attorney's Fees and Costs Incurred Related to Petitioners' Motion for Emergency Hearing to Determine if Feeding Supplies and Foods are Covered for Rock, Jr., under Florida Statutes 766.301-766.316; and claim for attorney's fees and costs incurred as a result of their filing the Motion to Determine Reimbursement of Past Expenses filed March 26, 2012.

Upon consideration of the Stipulation, it is ORDERED AND APPROVED:

1. NICA shall reimburse Petitioners \$4,500.00 in construction costs for modifications related to accessibility to Petitioners' home.

2. NICA has reimbursed Petitioners \$130.45 for part of a device that allows Petitioners to attach an I-Pad to Rock, Jr.'s wheelchair.

3. NICA has reimbursed Petitioners \$3,903.00 for a medical device known as a "Kidwalk" from Southwest Medical and Rehab.

4. NICA shall pay Petitioners \$10,000.00 as payment in full for all attorney's fees and costs incurred as a result of their filing the following: (1) Motion for Emergency Hearing to Determine if Feeding Supplies and Foods are Covered for Rock, Jr., under Florida Statutes 766.301-766.316 filed June 6, 2012,

and (2) Motion to Determine Reimbursement of Past Expenses filed March 26, 2012. This payment of attorney's fees and costs is for all time expended and costs incurred by Petitioners or their counsel in relation to these motions through January 31, 2013.

5. Jurisdiction is retained to resolve any dispute as to the interpretation of any provision of the parties' Stipulation and to resolve any disputes should they arise regarding the parties' compliance with the terms of their Stipulation and this final order.

DONE AND ORDERED this 20th day of February, 2013, in Tallahassee, Leon County, Florida.

Susan Belyeu Kirklund

SUSAN BELYEU KIRKLAND
Administrative Law Judge
Division of Administrative Hearings
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Filed with the Clerk of the
Division of Administrative Hearings
this 20th day of February, 2013.

COPIES FURNISHED:

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NOTICE OF RIGHT TO JUDICIAL REVIEW

Review of a final order of an administrative law judge shall be by appeal to the District Court of Appeal pursuant to section 766.311(1), Florida Statutes. Review proceedings are governed by the Florida Rules of Appellate Procedure. Such proceedings are commenced by filing the original notice of administrative appeal with the agency clerk of the Division of Administrative Hearings within 30 days of rendition of the order to be reviewed, and a copy, accompanied by filing fees prescribed by law, with the clerk of the appropriate District Court of Appeal. See § 766.311(1), Fla. Stat., and Fla. Birth-Related Neurological Injury Comp. Ass'n v. Carreras, 598 So. 2d 299 (Fla. 1st DCA 1992).