

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

CINDY SMITH AND JEFFREY SMITH,)	
INDIVIDUALLY AND AS PARENTS AND)	
NEXT FRIENDS FOR ABIGAIL SMITH,)	
A MINOR,)	
)	
Petitioners,)	
)	
vs.)	Case No. 09-4149N
)	
FLORIDA BIRTH-RELATED)	
NEUROLOGICAL INJURY)	
COMPENSATION ASSOCIATION,)	
)	
Respondent,)	
)	
and)	
)	
ORLANDO HEALTH, INC., d/b/a)	
WINNIE PALMER HOSPITAL FOR)	
WOMEN & BABIES,)	
)	
Intervenor.)	
_____)	

FINAL ORDER APPROVING STIPULATION FOR ENTRY OF AWARD

This cause came on for consideration upon Petitioners' and Respondent's Stipulation and Joint Petition for Resolution of Reasonable Expenses incurred by Petitioners in Connection with Filing of Claim, filed with the Division on February 2, 2010.

After due consideration of the interests of all parties, and being otherwise fully advised in the premises, it is

ORDERED:

1. The Order Approving Stipulation and Joint Petition for Compensation of Claim Arising Out of Florida Birth-Related Neurological Injury Pursuant to Chapter 766, Florida Statutes, entered herein and filed January 22, 2010, is attached hereto as Exhibit "A," incorporated herein by reference, and adopted as part of this instant Final Order, entered this date.

2. Petitioners' and Respondent's stipulation for Respondent to pay McMillen Law Firm Ten Thousand Dollars (\$10,000.00) in attorneys' fees and Eight Hundred Twenty-Nine Dollars and Eight Cents (\$829.08) in costs/expenses is hereby approved and shall be paid forthwith.

3. Jurisdiction is retained as previously provided for.

DONE AND ORDERED this 4th day of February, 2010, in Tallahassee, Leon County, Florida.



ELLA JANE P. DAVIS
Administrative Law Judge
Division of Administrative Hearings
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Filed with the Clerk of the
Division of Administrative Hearings
this 4th day of February, 2010.

COPIES FURNISHED:
(Via Certified Mail)

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NOTICE OF RIGHT TO JUDICIAL REVIEW

A party who is adversely affected by this Final Order is entitled to judicial review pursuant to Sections 120.68 and 766.311, Florida Statutes. Review proceedings are governed by the Florida Rules of Appellate Procedure. Such proceedings are commenced by filing the original of a notice of appeal with the Agency Clerk of the Division of Administrative Hearings and a copy, accompanied by filing fees prescribed by law, with the appropriate District Court of Appeal. See Section 766.311, Florida Statutes, and Florida Birth-Related Neurological Injury Compensation Association v. Carreras, 598 So. 2d 299 (Fla. 1st DCA 1992). The notice of appeal must be filed within 30 days of rendition of the order to be reviewed.