

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

RENA DUNN AND RANDALL DUNN,)
individually and as parents and)
next friends of RANDALL DUNN, a)
minor,)
)
Petitioners,)
)
vs.) Case No. 10-2417N
)
FLORIDA BIRTH-RELATED)
NEUROLOGICAL INJURY)
COMPENSATION ASSOCIATION,)
)
Respondent,)
)
and)
)
TRICIA PERCY, DO, SMITH SMITH)
SIMPSON & PERCY, OBGYN)
PHYSICIANS, CHARTERED, AND GULF)
COAST MEDICAL CENTER,)
)
Intervenors.)
_____)

FINAL ORDER ON REASONABLE EXPENSES INCURRED
BY PETITIONERS IN CONNECTION WITH THE FILING OF CLAIM

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 on October 15, 2012.

On July 28, 2011, a Final Order Cancelling Hearing and Approving Stipulation and Joint Petition for Compensation of Claim Arising out of Florida Birth-Related Neurological Injury

Pursuant to Chapter 766, Florida Statutes, was entered. The issue of attorneys' fees and other expenses of the claim related to Attorney Ronald Gilbert and the McMillen Law Firm, P.A., were not resolved.

On September 9, 2011, a Stipulation and Joint Motion for Attorney Fees and Costs was filed by the McMillan Law Firm, P.A., and Respondent. A Final Order Approving Stipulation was entered on September 13, 2011, approving the payment of attorney's fees and expenses incurred by the McMillen Law Firm, P.A., in connection with filing the instant claim on behalf of Petitioners.

Petitioners, Rena Dunn and Randall Dunn, individually and as parents and the next friends for Randall Dunn, a minor, and Respondent, Florida Birth-Related Neurological Injury Compensation Association (collectively the "Parties"), request the entry of an order approving the reasonable expenses incurred by Colling, Gilbert, Wright & Carter, LLC, in connection with the filing of the instant claim.

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

ORDERED:

1. The Parties' stipulation for Respondent to pay as a lump sum to Colling, Gilbert, Wright & Carter, LLC, \$2,500.00 in

attorney's fees and \$111.22 in costs is approved and said attorney's fees and costs shall be paid forthwith.

2. The parties shall abide by the terms of the Stipulation and Joint Petition for Resolution of Reasonable Expenses Incurred by Petitioners in Connection with Filing of Claim.

DONE AND ORDERED this 17th day of October, 2012, in Tallahassee, Leon County, Florida.



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 17th day of October, 2012.

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(Via Certified Mail)

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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).