

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

WILLIAM HAASE AND MARTHA HAASE,

Claimants,

vs.

Case No. 14-5645MA

PALM BEACH GARDENS MEDICAL
CENTER,

Defendant.

_____ /

ARBITRATION AWARD

The final arbitration hearing in this case was held before June C. McKinney, Chief Arbitrator; Forrest Gregory Barnhart, Arbitrator; and Barry A. Postman, Arbitrator, on June 19, 2015, in West Palm Beach, Florida.

For Claimants: Christopher M. Larmoyeux, Esquire
Larmoyeux and Bone, P.L.
550 South Quadrille Boulevard, Suite 200
West Palm Beach, Florida 33401

For Defendant: Adam W. Rhys, Esquire
Wicker, Smith, O'Hara, McCoy and Ford, P.A.
515 North Flagler Drive, Suite 1600
West Palm Beach, Florida 33401

At the conclusion of the arbitration hearing, the following award was unanimously agreed to by all three arbitrators and announced to the parties the same day:

1. Past Economic Damages

William Haase	\$76,000.00
Interest on all accrued economic damages	\$4,000.00

2. Future Economic Damages

William Haase	\$200,000.00
Martha Haase	\$70,000.00

3. Non-Economic Damages

William Haase	\$250,000.00
Martha Haase	\$250,000.00
Present value of total award:	\$850,000.00

Defendant Palm Beach Gardens Medical Center shall pay for the costs of the arbitration proceeding, including the fees for Arbitrator Barnhart and Arbitrator Postman in the amount of \$12,500.00 each for a total of \$25,000.00. Accordingly, no later than July 20, 2015, the Defendant shall pay each arbitrator other than the Chief Arbitrator \$12,500.00.

The Arbitration Panel determined that the reasonable attorney's fees and costs to be paid by the Defendant for the Claimant's attorney's fees and costs shall be 15% of the present value of the total award.

Ruling has been reserved as to the provisions for a periodic payment to the Claimant. The parties shall confer and attempt to come to an agreement regarding periodic payments pursuant to section 766.207(7)(c), Florida Statutes. The parties shall have ten days from the date of this written Arbitration Award by which to notify the undersigned in writing as to a joint periodic payment proposal or unilateral recommendation for the undersigned's consideration.

DONE AND ORDERED this 29th day of June, 2015, in Tallahassee, Leon County, Florida.



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

Filed with the Clerk of the
Division of Administrative Hearings
this 29th day of June, 2015.

COPIES FURNISHED:

Forrest Gregory Barnhart, Esquire
Searcy, Denney, Scarola, Barnhart
and Shipley, P.A.
2139 Palm Beach Lakes Boulevard
West Palm Beach, Florida 33409
(eServed)

Barry A. Postman, Esquire
Cole, Scott & Kissane, P.A.
1645 Palm Beach Lakes Boulevard
Second Floor
West Palm Beach, Florida 33401
(eServed)

Christopher M. Larmoyeux, Esquire
Larmoyeux and Bone, P.L.
Suite 200
550 South Quadrille Boulevard
West Palm Beach, Florida 33401
(eServed)

Adam W. Rhys, Esquire
Wicker, Smith, O'Hara,
McCoy and Ford, P.A.
515 North Flagler Drive, Suite 1600
Post Office Box 2508
West Palm Beach, Florida 33401

Antonia M. Smillova, Esquire
Wicker, Smith, O'Hara,
McCoy and Ford, P.A.
515 North Flagler Drive
West Palm Beach, Florida 33401
(eServed)

NOTICE OF RIGHT TO JUDICIAL REVIEW

A party who is adversely affected by this Final Order is entitled to judicial review pursuant to section 120.68, 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 of the notice, accompanied by any filing fees prescribed by law, with the clerk of the District Court of Appeal in the appellate district where the agency maintains its headquarters or where a party resides or as otherwise provided by law.