

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

ARLENE HARDOIN, as Personal  
Representative of the Estate of  
DENNIS HARDOIN,

Claimant,

vs.

Case No. 15-2396MA

PHYSICIANS REGIONAL MEDICAL  
CENTER, PHYSICIANS REGIONAL  
HEALTHCARE SYSTEM AND NAPLES  
HMA, LLC, d/b/a PHYSICIANS  
REGIONAL HEALTHCARE SYSTEM,

Defendants.

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FINAL ARBITRATION AWARD

The final arbitration hearing in this case was held before Lisa Shearer Nelson, Chief Arbitrator; Daniel Harwin, Arbitrator; and Ilisa Hoffman, Arbitrator, on October 27, 2015, in Naples, Florida.

APPEARANCES

For Claimant: Craig R. Stevens, Esquire  
Morgan & Morgan  
12800 University Avenue, Suite 600  
Fort Myers, Florida 33907

For Defendants: Kevin W. Crews, Esquire  
Wicker, Smith, O'Hara,  
McCoy & Ford, P.A.  
9128 Strada Place, Suite 10200  
Naples, Florida 34108

AWARD

Following the presentation of all evidence in this proceeding, the arbitrators met in person on October 27, 2015, to determine an award, which by majority vote of the arbitrators is stated below:

- |   |           |
|---|-----------|
| 1. Loss of household services:  | \$58,400  |
| 2. Non-economic damages, awarded to<br>Arlene Hardoin for a 100% loss of<br>Capacity to enjoy life: <sup>1/</sup> | \$250,000 |
| Present value of total award:   | \$308,400 |

3. The parties have agreed to pay the arbitrators, Daniel Harwin and Ilisa Hoffman, at the rate of \$400 per hour. Each arbitrator spent 15.5 hours in review of the evidence, attendance at the arbitration proceeding, and deliberation in order to reach an award. Accordingly, no later than November 9, 2015, the Defendants shall pay to the arbitrators named above \$6,200.00 each. Defendants shall also pay for the costs of the arbitration proceeding.

4. The parties have agreed that reasonable attorney's fees and costs to be paid by the Defendants for the Claimant's attorney's fees and costs shall be 15% of the present value (\$46,260) of the total award.

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




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LISA SHEARER NELSON  
 Administrative Law Judge  
 Division of Administrative Hearings  
 The DeSoto Building  
 1230 Apalachee Parkway  
 Tallahassee, Florida 32399-3060  
 (850) 488-9675  
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Filed with the Clerk of the  
 Division of Administrative Hearings  
 this 29th day of October, 2015.

ENDNOTE

<sup>1/</sup> Arbitrator Hoffman dissents from the decision to award 100% for loss of capacity to enjoy life, and would award 85-90%.

COPIES FURNISHED:

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Ilisa W. Hoffman, Esquire  
Ilisa W. Hoffman, P.A.  
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Coral Gables, Florida 33146

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.