

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

BERNARD BELZI, individually and
as Personal Representative of
the Estate of Patricia Belzi,
deceased, and as legal guardian
and parent of Abigail Belzi,
minor,

Case No. 15-3711MA

Claimant,

vs.

PLANTATION GENERAL HOSPITAL
LIMITED PARTNERSHIP, d/b/a
PLANTATION GENERAL HOSPITAL,

Defendant.

_____ /

ARBITRATION AWARD

The final arbitration hearing in this case was held before
June C. McKinney, Chief Arbitrator; David C. Prather, Arbitrator;
and Israel U. Reyes, Arbitrator, on July 26, 28, and 29, 2016, in
Fort Lauderdale, Florida.

For Claimants: Robert Kelley, Esquire
Bonnie A. Herrmann-Navin, Esquire
Kimberly Wald, Esquire
Kelley/Uustal, P.L.C.
500 North Federal Highway, Suite 200
Fort Lauderdale, Florida 33301

For Defendant: John W. Mauro, Esquire
Carol Jean Glasgow, Esquire
Billing, Cochran, Lyles, Mauro,
and Ramsey, P.A.
SunTrust Center, Sixth Floor
515 East Las Olas Boulevard
Fort Lauderdale, Florida 33301

Mark Hicks, Esquire
Mary Gniadek, Esquire
Hicks, Porter, Ebenfeld,
and Stein, P.A.
799 Brickell Plaza, Suite 900
Miami, Florida 33131

At the conclusion of the arbitration hearing and presentation of all evidence in this proceeding, the following award was unanimously agreed to by all three arbitrators on July 29, 2016, and announced to the parties the same day:

1. Past and Present Money Value of Future Loss of Support:

Total \$1,395,501.08

2. Past Loss of Household Services:

Total \$115,379.00

3. Present Money Value of Future Loss of Household Services:

Total \$1,696,711.20

3. Funeral Expenses Claim:

Total \$23,385.00

4. Non-economic damages for 100 Percent Loss of Capacity to Enjoy Life:

a. Bernard Belzi \$250,000.00

b. Abigail Belzi \$250,000.00

Total Arbitration Award: \$3,730,976.28

The parties have agreed to pay the arbitrators other than the Chief Arbitrator at the rate of \$625.00 per hour. Arbitrator Prather and Arbitrator Reyes shall submit invoices to Defendant for payment of their time preparing the case, hearing the matter, and deliberating the case, as well as reimbursement costs by August 8, 2016. Defendant shall also pay for the costs of the arbitration proceedings.

Defendant shall also pay Claimant's reasonable attorney's fees and costs, at 15 percent of the present value of the total award. § 766.207(7)(f)., Fla. Stat.

Defendant stipulated to pay the damages for future economic losses, monies deemed period payments pursuant to section 766.207(7)(c), Florida Statutes, as a lump sum. Defendant shall pay the arbitration award pursuant to section 766.211.

The panel finds that no evidence was presented as to any medical expenses of any nature whatsoever, and that no portion of this award reflects payment or reimbursement or consideration of any medical expenses.

The rules governing medical malpractice arbitration do not authorize motions for rehearing.

DONE AND ORDERED this 2nd day of August, 2016, 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 2nd day of August, 2016.

COPIES FURNISHED:

Robert Kelley, Esquire
Kelley/Uustal, P.L.C.
500 North Federal Highway, Suite 200
Fort Lauderdale, Florida 33301
(eServed)

Bonnie A. Herrmann-Navin, Esquire
Kelley/Uustal, P.L.C.
500 North Federal Highway, Suite 200
Fort Lauderdale, Florida 33301
(eServed)

Kimberly Wald, Esquire
Kelley/Uustal, P.L.C.
500 North Federal Highway, Suite 200
Fort Lauderdale, Florida 33301
(eServed)

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John W. Mauro, Esquire
Billing, Cochran, Lyles, Mauro,
and Ramsey, P.A.
SunTrust Center, Sixth Floor
515 East Las Olas Boulevard
Fort Lauderdale, Florida 33301
(eServed)

Israel U. Reyes, Esquire
The Reyes Law Firm, P.A.
1 Alhambra Plaza, Suite 1130
Coral Gables, Florida 33134

David C. Prather, Esquire
Clark, Fountain, LaVista, Prather,
Keen, and Littky-Rubin
1919 North Flagler Drive, Suite 200
West Palm Beach, Florida 33407-980

Mark Hicks, Esquire
Mary Gniadek, Esquire
Hicks, Porter, Ebenfeld,
and Stein, P.A.
799 Brickell Plaza, Suite 900
Miami, Florida 33131
(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.