

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

JONATHAN AND CHARITY BUTLER, on  
behalf of and as parents and  
natural guardians of GRIT  
BUTLER, a minor,

Petitioners,

vs.

Case No. 15-3761N

FLORIDA BIRTH-RELATED  
NEUROLOGICAL INJURY COMPENSATION  
ASSOCIATION,

Respondent,

and

GULF COAST REGIONAL MEDICAL  
CENTER; TONI PENNINGTON, M.D.;  
AND EMERALD COAST OB/GYN,

Intervenors.

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FINAL ORDER APPROVING STIPULATION

This cause came on for consideration upon the Stipulation  
Pertaining to Lump Sum Payment for Bathroom and/or Handicap  
Modifications of Dwelling (Stipulation) filed with the Division  
of Administrative Hearings on September 21, 2017, by Petitioners,  
Jonathan and Charity Butler, and Respondent, Florida Birth-  
Related Neurological Injury Compensation Association.

Petitioners and Respondent have come to an agreement regarding a claim filed by Petitioners for bathroom and/or handicap modifications. They have agreed as follows:

Respondent agrees to pay Petitioner(s) \$30,000.00 as a one-time only, lump sum payment for any and all bathroom and/or handicap modifications forever required for any residence.

Petitioner(s) agree(s) and accept(s) this one-time payment as a full and final payment towards bathroom and/or handicap modifications to his/her/their current house located at 5320 Bright Meadows Road, Milton, FL 32570, and agrees that said payment precludes Petitioners' entitlement to any future payment from NICA for bathroom and/or handicap modifications for this house or any other house purchased, built or rented or lived in by Petitioner(s) in the future. Should Petitioner(s) elect to move or have any other modifications performed to his/her/their current home, or any other home purchased, built, rented or lived in by Petitioner(s), any future modifications will be solely at Petitioners' expense.

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

ORDERED:

1. Petitioners' and Respondent's Stipulation is approved.
2. The parties shall abide by the terms of the Stipulation.

DONE AND ORDERED this 22nd day of September, 2017, in  
Tallahassee, Leon County, Florida.



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TODD P. RESAVAGE  
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 22nd day of September, 2017.

COPIES FURNISHED:  
(via certified mail)

Kenney Shipley, Executive Director  
Florida Birth Related Neurological  
Injury Compensation Association  
Suite 1  
2360 Christopher Place  
Tallahassee, Florida 32308  
(eServed)  
(Certified Mail Number 7016 2710 0000 4543 0316)

Charity Butler  
Jonathan Butler  
5320 Bright Meadows Road  
Milton, Florida 32570  
(Certified Mail Number 7015 0640 0003 7649 6325)

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).