

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

KESHA CAPERS, as Personal
Representative of the Estate of
LOUIS WATSON, deceased, and on
behalf of the surviving minor
children, ZURI WATSON and KATAYA
WATSON,

Claimant,

vs.

Case No. 15-5089MA

LIFEMARK HOSPITALS OF FLORIDA,
INC., A FLORIDA CORPORATION,
d/b/a PALMETTO GENERAL HOSPITAL
AND TENET HEALTHCARE
CORPORATION,

Defendants.

_____ /

ARBITRATION AWARD

The final arbitration hearing in this case was held before June C. McKinney, Chief Arbitrator; Tricia Hoffler, Arbitrator; and Anne Bloom, Arbitrator, on April 4 and 5, 2016, with the hearing's conclusion on April 14, 2016, in Miami, Florida.

For Claimant: Carmen Yolanda Cartaya, Esquire
McIntosh, Sawran, & Cartaya
1776 East Sunrise Boulevard
Fort Lauderdale, Florida 33314

For Defendants: Mark Samuel Weinstein, Esquire
Weinstein & Cohen, P.A.
14125 Northwest 80th Avenue, Suite 400
Miami Lakes, Florida 33016

At the conclusion of the arbitration hearing and presentation of all evidence, the following award was unanimously agreed to by all three arbitrators on April 14, 2016, and announced to the parties the same day:

1. Past Economic Damages:

a.	Zuri Watson	Past Support and Services	\$67,903.75
		Past Social Security Set-off	<u>\$(17,650.00)</u>
		Total	\$50,253.75

b.	Kataya Watson	Past Support and Services	\$67,903.75
		Past Social Security Set-off	<u>\$(17,650)</u>
		Total	\$50,253.75

2. Future Economic Damages Reduced to Present Money Value:

a. Zuri Watson Support and Services \$458,227.00

b. Kataya Watson Support and Services \$333,688.75

3. Estate Funeral Expenses Claim: \$3,082.00

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

a. Zuri Watson \$250,000.00

b. Kataya Watson \$250,000.00

Total Arbitration Award: \$1,395,505.25

The parties have agreed to pay Arbitrator Hoffler and Arbitrator Bloom at the rate of \$550.00 per hour. Accordingly, no later than May 9, 2016, Defendants Lifemark Hospitals of Florida, Inc., shall pay each arbitrator other than the Chief Arbitrator fees for their time preparing the case, hearing the matter, and deliberating the case as well as reimbursement costs.

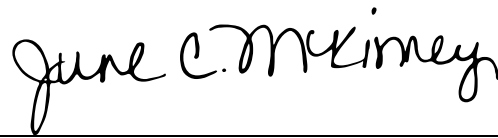
Defendants shall also pay Claimant reasonable attorney's fees, 15 percent of the total award, in the sum of \$209,325.79.

At the conclusion of the arbitration hearing, the parties had not finalized costs. Defendants shall pay for the costs of the arbitration proceeding. The parties shall have ten days from the date of this Order to notify the undersigned in writing whether an agreement has been reached regarding costs. If no resolution has been reached, the parties shall file a joint status report which shall include their agreement as to how and when to re-convene the

arbitration so that the panel can determine the costs to be paid by the Defendants.

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 19th day of April, 2016, in Tallahassee, Leon County, Florida.



JUNE C. MCKINNEY
Administrative Law Judge
Division of Administrative Hearings
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Filed with the Clerk of the
Division of Administrative Hearings
this 19th day of April, 2015.

COPIES FURNISHED:

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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.