

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

JENNIFER GAGNE, as Personal
Representative of the Estate of
MICHAEL GAGNE,

Claimant,

vs.

Case No. 18-6200MA

UNIVERSITY HOSPITAL; WESTSIDE
REGIONAL MEDICAL CENTER; ARNOLDO
GHITIS, MD; AND FLORIDA HEART
AND HEALTH INSTITUTE,

Defendants.

FINAL ARBITRATION AWARD

The final arbitration hearing in this case was held before
W. David Watkins, Chief Arbitrator; Sam Coffey, Arbitrator; and
Ilisa W. Hoffman, Arbitrator, on June 25, 2019, in Fort
Lauderdale, Florida.

APPEARANCES

For Claimant: Paul M. Silva, Esquire
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For Defendants: Jonathan Miller, Esquire
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AWARD

1. Funeral expenses:	\$1,520.00
2. Present value of loss of net estate accumulations:	\$583,266.00
3. Past and future medical expenses: (by stipulation of the parties)	\$0.00
4. Non-economic damages, awarded to Troy Gagne for a 100% loss of capacity to enjoy life:	\$250,000.00
5. Non-economic damages, awarded to Anthony Gagne for a 100% loss of capacity to enjoy life:	\$250,000.00
Present value of economic and non-economic damages:	\$1,084,786.00
6. Fees and costs, 15% of total damages:	\$162,717.90
7. Total present value awarded:	\$1,247,503.90

PRELIMINARY STATEMENT

8. Defendants have agreed to pay the arbitrators, Sam Coffey and Ilisa W. Hoffman, at the rate of \$750.00 per hour, for a total of eight hours each of preparation, hearing, and deliberation. Accordingly, no later than July 25, 2019, Defendants shall pay to the arbitrators named above \$6,000.00 each. Defendants shall also pay for the costs of the arbitration proceeding, including the cost of the facility.

9. As noted above, the parties have stipulated that reasonable attorney's fees and costs to be paid by Defendants for Claimant's attorney's fees and costs shall be 15 percent of

the present value of the economic and non-economic damages award.

DONE AND ORDERED this 5th day of July, 2019, in Tallahassee, Leon County, Florida.



W. DAVID WATKINS
Administrative Law Judge
Division of Administrative Hearings
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Filed with the Clerk of the
Division of Administrative Hearings
this 5th day of July, 2019.

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.