

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

JEAN ADAMS,

Claimant,

vs.

Case No. 19-0469MA

MARVIN GREENBERG, M.D.; AND  
MARVIN GREENBERG, M.D., P.A.,

Defendants.

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FINAL ORDER

The final arbitration hearing in this case was held before June C. McKinney, Chief Arbitrator; David C. Prather, Arbitrator; and Frederick A. Gunion, Jr., Arbitrator, on August 13, 2019, in Ft. Lauderdale, Florida.

For Claimant: Harry Alan Shevin, Esquire  
The Shevin Law Firm  
7777 Glades Road, Suite 212  
Boca Raton, Florida 33434

For Defendants: John David Kelner, Esquire  
Law Office of John D. Kelner  
8930 West State Road 84, No. 144  
Davie, Florida 33324

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 August 13, 2019, and announced to the parties the same day:

1. Stipulated Medical Expenses:

Total \$7,500.00<sup>1/</sup>

2. Lost Wages:

Total \$40,432.00

3. Expenses:

Total \$1,883.99

4. Non-economic damages for 50 Percent Loss of Capacity to Enjoy Life:

Total \$125,000.00

Total Arbitration Award: \$174,815.99

The parties have agreed to pay the arbitrators, other than the Chief Arbitrator, at the rate of \$5,000.00 per day. Accordingly, no later than September 6, 2019, the Defendants shall pay each arbitrator. The Defendants shall also pay for the costs of the arbitration proceedings.

The parties stipulated that the Defendants shall pay 15 percent of the award for the Claimant's attorney's fees and costs in the amount of \$26,222.39.

DONE AND ORDERED this 20th day of August, 2019, in Tallahassee, Leon County, Florida.



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JUNE C. MCKINNEY  
Administrative Law Judge  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-3060  
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Filed with the Clerk of the  
Division of Administrative Hearings  
this 20th day of August, 2019.

ENDNOTE

<sup>1/</sup> The parties stipulated to waive collateral sources in this matter.

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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.