

**STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS**

DORIS EARLE,

Claimant,

vs.

Case No. 21-1082MA

ST. VINCENT'S MEDICAL CENTER, D/B/A
ASCENSION ST. VINCENT'S RIVERSIDE,

Defendant.

FINAL ARBITRATION AWARD

The final arbitration hearing in this case was held before W. David Watkins, Chief Arbitrator; Miles McGrane, Arbitrator; and Davis Love, Arbitrator, on February 1, 2022, via Zoom Video Conference.

APPEARANCES

For Claimant: Daniel Harwin, Esquire
Freedland Harwin Valori, P.L.
110 Southeast 6th Street, Suite 2300
Fort Lauderdale, Florida 33301

For Defendant: S. William Fuller, Jr., Esquire
Hall Booth Smith, P.C.
200 West Forsyth Street, Suite 400
Jacksonville, Florida 32202

AWARD

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 February 1, 2022, pursuant to section 766.207, Florida Statutes, and announced to the parties the same day:

1. Present Money Value of Future Medical Expenses and Services:	\$126,358.30
2. Non-economic damages for 80 Percent Loss of Capacity to Enjoy Life:	
Doris Earle	\$200,000.00
Total Economic and Non-Economic Damages:	\$326,358.30
Attorney's Fees and Costs 15% of Economic and Non-Economic Damages:	\$ 48,953.75
TOTAL ARBITRATION AWARD:	\$375,312.05

POST ARBITRATION AWARD FEES TO BE PAID BY DEFENDANT

The parties have agreed to pay the arbitrators, other than the Chief Arbitrator, at the rate of \$750 per hour. Arbitrators McGrane and Love each spent 10.50 hours in preparation and attendance at the hearing, and in deliberations to determine the amount of the award. Accordingly, Defendant shall pay Arbitrators McGrane and Love the amount of \$7,875.00 each within 14 days from the date of this Award. Defendant shall also pay for the costs of the arbitration proceeding.

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

DONE AND ORDERED this 7th day of February, 2022, in Tallahassee, Leon County, Florida.



W. DAVID WATKINS
Administrative Law Judge
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
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Filed with the Clerk of the
Division of Administrative Hearings
this 7th day of February, 2022.

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.