

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

CLARA NAVARRO, PERSONAL
REPRESENTATIVE OF THE ESTATE OF
MAURICIO POLIFRONI, DECEASED,

Claimant,

Case No. 22-0207MA

vs.

NORTH SHORE MEDICAL CENTER, INC.,
D/B/A NORTH SHORE MEDICAL CENTER,

Defendant.

_____ /

ARBITRATION AWARD

The final arbitration hearing in this case was held before June C. McKinney, Chief Arbitrator; Daniel D. Dolan, II, Arbitrator; and H. Hamilton Rice, III, Arbitrator, on September 20 through 22, 2022, by Zoom conference.

For Claimant: Peter Spillis, Esquire
Kelley | Uustal, PLC
500 North Federal Highway, Suite 200
Fort Lauderdale, Florida 33301

Michael R. Kaufman, Esquire
Michael R. Kaufman, P.A.
2333 Brickell Avenue, Suite A-1
Miami, Florida 33129

For Defendant: Richard B. Mangan, Jr., Esquire
Kelsey T. Campbell, Esquire
Rissman, Barrett, Hurt, Donahue & McLain, P.A.
One North Dale Mabry Highway, Eleventh Floor
Tampa, Florida 33609

At the conclusion of the arbitration hearing and presentation of all evidence, the following award was agreed to by a majority vote of the

arbitrators on September 22, 2022, and announced to the parties the same day:

1. Loss of Services:

a. Past and Future Services \$534,734.00¹

2. Loss of Support:

a. Clara Navarro \$1,319,494.23

b. D'Angello Polifroni \$152,981.00

Total support: \$1,472,475.23²

3. Loss of Net Accumulations: \$293,965.83

4. Medical Expenses: \$46,471.74

5. Funeral Expenses: \$3,432.00

Total: \$2,351,078.80

5. Non-economic damages for 100%:

a. Clara Navarro \$250,000.00

b. D'Angello Polifroni \$250,000.00

Total Arbitration Award: \$2,851,078.80³

The parties have agreed to pay Arbitrators Dolan and Rice at the rate of \$750.00 per hour. Accordingly, no later than 20 days from the date of this Arbitration Award, Defendant North Shore Medical Center, Inc., shall pay

¹ Present value of combined past and future loss of services for Clara Navarro and D'Angello Polifroni.

² Present value of combined past and future loss of support.

³ Arbitrator Rice dissents from the arbitration award.

each arbitrator other than the Chief Arbitrator. Defendant shall also pay for the costs of the arbitration proceeding.

The Arbitration Panel determined that the reasonable attorney's fees to be paid by Defendant for Claimant's attorney's fees shall be 15 percent of the present value of the total award, in the sum of \$427,661.82.

DONE AND ORDERED this 27th day of September, 2022, in Tallahassee, Leon County, Florida.



JUNE C. MCKINNEY
Administrative Law Judge
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 27th day of September, 2022.

COPIES FURNISHED:

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Daniel D. Dolan, II, Esquire
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H. Hamilton Rice, III, Esquire
(Address of Record)

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.