



Legislation Text

File #: 170092., Version: 1

SONIA GEEVARUGHESE v. CITY OF GAINESVILLE; CASE NO. 2016-CA-1057; EIGHTH JUDICIAL CIRCUIT, IN AND FOR ALACHUA COUNTY, FLORIDA (NB)

The City Commission 1) approve the terms of the mediated settlement agreement; and 2) authorize the City Attorney to settle the claim of Sonia Geevarughese arising from an accident that occurred on or about March 29, 2012.

On March 29, 2012, Ms. Sonia Geevarughese, a student at the University of Florida, was riding her bicycle westbound in the designated bicycle lane on Museum Road, on the campus of the University of Florida. A Regional Transit System bus was also traveling west on Museum Road, and stopped at a marked bus stop immediately east of the intersection with Fraternity Row to allow passengers to disembark. Ms. Geevarughese rode up from behind the bus, on the right side of the bus, as the bus departed the bus stop. Ms. Geevarughese intended to continue westward on Museum Road past the intersection with Fraternity Row. The driver of the bus did not see Ms. Geevarughese, and proceeded to turn right onto Fraternity Row. Consequently, the bus came into contact with Ms. Geevarughese's bicycle handlebar, and she was propelled to the ground, landing on her right shoulder. Ms. Geevarughese sought medical attention after the accident at the University of Florida's Infirmary. Her parents were notified, and immediately travelled from South Florida to bring her home to receive medical care.

Among other injuries and damages, Ms. Geevarughese suffered injuries to her right shoulder and may have suffered a concussion and related complications. Including the emergency care, diagnostic tests, follow-up medical care, and physical therapy and rehabilitation, Ms. Geevarughese claimed medical bills totaling in excess of \$45,000.00. If this case were to proceed to trial, the past medical bills would be only a part of the damages Ms. Geevarughese would seek to recover. She would also seek damages for future medical expenses, pain and suffering, mental anguish, inconvenience, and loss of capacity for the enjoyment of life.

During the course of discovery, counsel for the City conducted witness interviews and took the deposition of Ms. Geevarughese. A complete review of the applicable medical records was performed. Per the application of Florida's limited waiver of sovereign immunity contained in section 768.28, Florida Statutes, the City's liability and authority to settle claims such as this is limited to \$200,000.00 per person and \$300,000.00 per incident. Court-ordered mediation was conducted, and a negotiated settlement was achieved. Representatives for the City agreed to recommend a total settlement in the amount of \$27,500.00, subject to the approval of the City Commission of the City of Gainesville. In exchange, Ms. Geevarughese will provide a full and complete Release to the City. It is the recommendation of the City Attorney's Office and the Risk Management Department that the case be settled for that amount.

Fiscal Impact: Funds are available in the City's General Insurance Fund.