

COMMISSION AGENDA:

1.28.14 # Ba.

TO: The Honorable Chairman and Members of the
Board of County Commissioners

FROM: James L. Bennett, County Attorney *JB*

SUBJECT: Notice of New Lawsuit and Defense of the Same by the County Attorney
in the Case of William David Brummitt v. Pinellas County Florida
Circuit Civil Case No. 13-009538 CI

DATE: January 28, 2014

NOTICE: THIS IS TO ADVISE THE BOARD OF COUNTY COMMISSIONERS THAT THE ABOVE-REFERENCED LAWSUIT WAS FILED AGAINST THE COUNTY AND THE COUNTY ATTORNEY'S OFFICE WILL DEFEND THE SAME.

DISCUSSION: This action appears to be a tort claim for negligence. While riding his bicycle on the Pinellas Trail, Plaintiff was "attacked and beaten" somewhere in the vicinity of Dunedin. Plaintiff is suing Pinellas County claiming that there had been numerous instances of similar attacks on the Pinellas Trail in the three years prior to his beating. Therefore, he states, the County knew or should have known that the trail was dangerous. He claims that the County failed in its duty to maintain the trail in a safe condition, to warn the plaintiff and others who use the trail and to take measures to protect the plaintiff from the foreseeable criminal acts of third parties. As a result of the beating, Plaintiff claims to have suffered physical, mental and economic damages.

JLB:YAM

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