

8.4.15 # 12a.

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

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

SUBJECT: Notice of New LawsUIT and Defense of the Same by the County Attorney
in the Case of Linda Holbrook v. Pinellas County Board of County Commissioners
Circuit Civil Case No. 15-003952-CI-21

DATE: August 4, 2015

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 lawsuit arises as a result of a multi-vehicle collision occurring on July 9, 2014 at the intersection of West Bay Drive and Clearwater Largo Road in Largo, Florida. Plaintiff alleges that she was stopped behind another vehicle in the eastbound left turn lane of West Bay Drive, intending to turn left and head north on Clearwater Largo Road. The light turned green, with a green arrow. Pinellas County employee, Martin Siim, approached the intersection intending to turn left onto northbound Clearwater Largo Road. He saw the light turn green and assumed that traffic was flowing. Traffic had not begun to move. Mr. Siim attempted to brake his truck but was unable to stop in time. He struck the rear of plaintiff's vehicle, which in turn, was pushed into the rear of the vehicle in front of plaintiff. Plaintiff and her passenger were transported by Sunstar to Largo Medical Center.

Anticipated defenses include, among others, sovereign immunity, comparative negligence, set-off, collateral sources, and Plaintiff's failure to comply with F.S. 768.28 notice requirements.

The County Attorney's Office will bring all counterclaims, cross-claims, or third party claims as necessary or appropriate in the judgment of the County Attorney.

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