

COMMISSION AGENDA:

8.4.15 # 12c.

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 James E. Parks v. Fleet Management Pinellas County, a Florida
Governmental Entity
Circuit Civil Case No. 15-003435-CI-15

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 is a suit seeking damages for personal injuries sustained as a result of a rear-end collision occurring on October 24, 2014. Plaintiff alleges that his motorcycle was stopped at a red light at the end of an exit ramp off US 19 at East Bay Drive was struck by a Pinellas County Water Truck. Motions to dismiss and to quash have been filed on behalf of the County but have not been scheduled to be heard.

Anticipated defenses include, among others, sovereign immunity, comparative negligence, set-off, and collateral sources.

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.

JLB:JAP:mak

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