

DATE: October 3, 1984

TO: Board of County Commissioners

FROM: County Administrator

BY: Originating Department County Attorney

SUBJECT: AGENDA ITEM - REGULAR CONSENT x REQUESTED AGENDA DATE 10/16/84

RE: Peet v. Manatee County

County Attorney
[Signature]
APPROVED AS TO FORM

ACTION REQUIRED:

Acceptance into the record of Stipulation for Dismissal with Prejudice, Final Order of Dismissal and Releases regarding Peet v. Manatee County, Case No. CA 83-1317.

ACCEPTED IN OPEN SESSION 10/16/84
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

ACTION(S) REQUIRED: x Execution Acceptance Approval Recording Authorization Adoption

COST:
SOURCE:

ATTACHMENTS:
Stipulation, Final Order & Releases

BOARD RECORDS:

AGENDA DISPOSITION

ACTION TAKEN BY THE BOARD:

- APPROVED
- DEFERRED UNTIL _____
- DISAPPROVED
- CONCURRED WITH STAFF RECOMMENDATION
- RECEIVED
- REFERRED TO STAFF

OTHER: _____

SPECIAL INSTRUCTIONS: _____

LAW OFFICES OF
LANE, TROHN, BERTRAND & WILLIAMS, P. A.

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IN REPLY REFER TO:

September 25, 1984 Bradenton

Keith Roberts, Esquire
P. O. Box 1000
Bradenton, FL 33506

Re: Peet vs. Manatee County
Claim No.: 013-05-00339

Dear Keith:

In re the above styled matter, please find enclosed
the following documents:

1. Stipulation for Dismissal with Prejudice.
2. Final Order of Dismissal.
3. Releases for both Minor and Parent.

With best wishes, I remain,

Sincerely,

E. Clinch Kavanaugh, III

ECK:mz
Enc.

RECEIVED

SEP 26 1984

COUNTY ATTORNEY

ACCEPTED IN OPEN SESSION 10/16/84
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT OF FLORIDA,
IN AND FOR MANATEE COUNTY

CIVIL ACTION

DONALD PEET and CAROLYN PEET,
individually and as parents and
natural guardians of PRESTON PEET,
a minor child,

Plaintiffs,

vs.

CASE NO. CA 83-1317

MANATEE COUNTY, FLORIDA, a
political subdivision of the State of
Florida,

Defendant.

RECEIVED

SEP 26 1984

COUNTY ATTORNEY

STIPULATION FOR DISMISSAL WITH PREJUDICE

The parties to this action, by and through their respective counsel,
state that it has been amicably settled and stipulate to its dismissal with
prejudice, each party to bear his own costs, and further stipulate that all
liens and subrogated interests shall be paid by Plaintiffs out of the proceeds
of the settlement herein.

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Attorneys for Defendant

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Attorneys for Defendant

By


GARY H. LARSEN

By


E. CLINCH KAVANAUGH, III

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(813) 366-7550
Attorneys for Plaintiffs

By


ROBERT C. WIDMAN

ACCEPTED IN OPEN SESSION 10/16/84
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT OF FLORIDA,
IN AND FOR MANATEE COUNTY

CIVIL ACTION

DONALD PEET and CAROLYN PEET,
individually and as parents and
natural guardians of PRESTON PEET,
a minor child,

Plaintiffs,

vs.

CASE NO. CA 83-1317

MANATEE COUNTY, FLORIDA, a
political subdivision of the State of
Florida,

Defendant.

RECEIVED

SEP 28 1984

FINAL ORDER OF DISMISSAL

COUNTY ATTORNEY

THIS CAUSE, having come before the Court for consideration
of the foregoing Stipulation, it is

ORDERED AND ADJUDGED that this action is hereby dismissed,
with prejudice.

DONE AND ORDERED in Chambers in *Sarasota Sarasota*
Florida, this 18 day of September, 1984.

STEPHEN L. DAKAN

151

STEPHEN L. DAKAN
Circuit Judge

Copies furnished to:

ROBERT C. WIDMAN, Esq.
E. CLINCH KAVANAUGH, III, Esq.
GARY H. LARSEN, Esq.

ACCEPTED IN OPEN SESSION 10/14/84
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

RECEIVED SEP 19 1984

SEP 10 1984

RELEASES FOR BOTH MINOR AND PARENT

MANATEE COUNTY

KNOW ALL MEN BY THESE PRESENTS, that We, DONALD PEET and CAROLYN PEET, as parents and guardians of PRESTON PEET, a minor, the person designated in that certain Court Order entered in the Circuit Court of the Twelfth Judicial Circuit, in and for Manatee County, Florida, dated the 6th day of August, 1984, in an action pending in that County in which DONALD PEET and CAROLYN PEET, individually and as parents and natural guardians of PRESTON PEET, a minor child, were Plaintiffs and MANATEE COUNTY, FLORIDA, a political subdivision of the State of Florida, was Defendant, for and in consideration of the sum of \$ 52,500.00----- to us in hand paid by or on behalf of said Defendant, for and on behalf of our minor son and for and in consideration of the sum of \$ 157,500.00-----, and other valuable consideration to us, individually in hand paid by or on behalf of said Defendant, have remised, released and forever discharged, and by these presents do, for ourselves, our heirs, executors, administrators, successors or assigns, remise, release, acquit, satisfy and forever discharge the Defendant, MANATEE COUNTY and GUARANTEE INSURANCE COMPANY, and their heirs, executors, administrators, and any and all other persons, firms and corporations, named or unnamed, known or unknown, of and from all actions, causes of action, injuries, damages to person and property, loss of services, judgments, executions, claims and demands of every sort and nature whatsoever, which We, DONALD PEET and CAROLYN PEET, individually and as parents and guardians of PRESTON PEET, a minor, or which our minor son, PRESTON PEET, may now have, ever have had or hereafter may have against the Defendant, MANATEE COUNTY and GUARANTEE INSURANCE COMPANY, * from the beginning of the world to date and the day of these presents, including any claims, demands, actions or causes of action arising out of the accident on or about November 7, 1982, on Upper Manatee River Road, Manatee County, Florida, wherein it is alleged that MANATEE COUNTY so negligently maintained said Road so as to cause the motor vehicle operated by PRESTON PEET, a minor, to be involved in a collision.

*This Release specifically does not include any claims of Donald Peet, Carolyn Peet, or Preston Peet against any person or entity connected with the manufacturer or sale of the Toyota automobile involved in this accident.

It is further understood that, as further consideration and inducement for this compromise settlement,* this settlement shall apply to all unknown and unanticipated injuries and damages resulting from said accident, as well as to those now disclosed.

This is in settlement of a disputed claim and in no way constitutes an admission of liability.

IN WITNESS WHEREOF, We have executed this Release this 10th day of August, 1984.

Donald Peet
DONALD PEET, individually and as parent and guardian of PRESTON PEET, a minor.

Carolyn Peet
CAROLYN PEET, individually and as parent and guardian of PRESTON PEET, a minor.

Sworn to and subscribed before me this 10th day of August, 1984.

Rosemarie Dufee
NOTARY PUBLIC

My Commission Expires:

Notary Public State of Florida at Large
My Commission Expires 3-2-87

