



April 21, 2026 - Regular Meeting

Subject

Proposal for Settlement in the Amount of \$50,000.00 in Manatee County Circuit Court Case, Patrick Henry v. Manatee County, Case No. 2025-CA-00989-AX

Category

CONSENT AGENDA

Briefings

Briefing Provided Upon Request

Contact and/or Presenter Information

Jared M. Monaham, Assistant County Attorney, Ext. 3090

Action Requested

Motion to authorize the County Attorney's Office to take no action regarding Plaintiff's April 6, 2026, Proposal for Settlement in the amount of \$50,000.00 to Manatee County and to allow the Proposal for Settlement to expire in the matter Patrick Henry v. Manatee County, Case No. 2025-CA-00989-AX.

Enabling/Regulating Authority

Sections 125.01 and 768.79, Florida Statutes, and Florida Rule of Civil Procedure 1.442

Applicable Advisory Board

N/A

Background Discussion

This is a personal injury case emanating from an alleged bicycle fall incident that occurred on or about February 28, 2024. Plaintiff, Patrick Henry ("Plaintiff"), seventy-four (74) years old at the time of the incident, claims he was riding his bicycle in a designated bicycle lane along Hidden River Trail just north of Lakewood Ranch Boulevard with a group of cyclists when his bicycle allegedly slid on an area of loose gravel, causing Plaintiff to fall. Plaintiff fractured his right femur and underwent surgery to repair it. Plaintiff seeks damages for past and future medical expenses and pain and suffering for the alleged injuries to his right leg. To date, Plaintiff's approximate past medical expenses total \$103,634.40. Based on discovery received to date, Plaintiff's medical insurance paid \$16,250.42, Plaintiff paid out of pocket expenses of approximately \$80.00, and \$87,383.98 was written off. Thus, Plaintiff's total unpaid and out of pocket medical expenses total approximately \$909.00 as well as a medical lien in the amount of \$16,250.42.

On April 6, 2026, Plaintiff served the County with a Proposal for Settlement ("Proposal") in the amount of \$50,000.00. Pursuant to Florida Rule of Civil Procedure 1.442, the County has 30 days to accept this Proposal, or it will expire automatically. If the Proposal is not accepted and Plaintiff obtains a judgment of at least 25% greater than the offer (i.e., \$62,500.00), Plaintiff may be entitled to recover reasonable costs and attorney's fees from the date of serving the Proposal, up to the sovereign immunity limit of \$200,000.00 as set forth in Section 768.28, Florida Statutes.

Based on the information and discovery received to date, the County Attorney's Office (CAO) believes that the County has viable legal defenses to Plaintiff's claims, and that the amount of the Proposal is unreasonable and not commensurate with the value, if any, of the claim. Therefore, the CAO recommends the Board not accept Plaintiff's Proposal and allow it to expire. The CAO conferred with the Director of the Public Works Department, who concurs with this recommendation. If the Board approves the proposed motion, the case will continue through the litigation process to possibly include trial.

Because this case is in active litigation, if any Commissioners have questions regarding this item, we respectfully request that a private briefing be scheduled with the CAO and recommend that Commissioners refrain from discussing this matter publicly.

Attorney Review

Other (Requires explanation in field below) Monahan

This is a County Attorney item.

Instructions to Board Records

Please email an approved copy of this agenda item to:

Jared M. Monahan, Assistant County Attorney, at jared.monahan@mymanatee.org

Amrita Duckett, Paralegal, at amrita.duckett@mymanatee.org; and

Janet Gable, Legal Assistant, at janet.gable@mymanatee.org.

Distributed 4/22/26, RT

Cost and Funds Source Account Number and Name

N/A

Amount and Frequency of Recurring Costs

N/A