



May 19, 2026 - Regular Meeting

Subject

Proposal for Settlement in the Amount of \$200,000.00 in Manatee County Circuit Court Case, Moises Hernandez Claros v. Manatee County, Case No. 2025-CA-1898AX

Category

CONSENT AGENDA

Briefings

Briefing Provided Upon Request

Contact and/or Presenter Information

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

Action Requested

Motion to authorize the County Attorney's Office to take no action regarding Plaintiff's April 22, 2026, Proposal for Settlement in the amount of \$200,000.00 to Manatee County and to allow the Proposal for Settlement to expire in the matter of Moises Hernandez Claros v. Manatee County, Case No. 2025-CA-1898AX.

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 motor vehicle accident (the "Incident") that occurred on September 30, 2024. Moises Hernandez Claros ("Plaintiff") claims a Manatee County employee negligently operated a County-owned vehicle and trailer by driving westbound in the eastbound lanes of Manatee Avenue. Plaintiff was turning left across the eastbound lanes of Manatee Avenue and struck the passenger side rearend of the County-owned trailer being towed by the County-owned vehicle. Plaintiff alleges that he suffered injuries to his neck, back, and right shoulder which require ongoing treatment. Plaintiff seeks damages for past and future medical expenses and pain and suffering related to alleged injuries. To date, Plaintiff's past medical expenses total \$91,573.28. Based on discovery received to date, no bills have been paid.

On January 20, 2026, the Board allowed Plaintiff's first Proposal for Settlement (Plaintiff's First Proposal) in the amount of \$99,999.99 to expire based on the recommendation of the County Attorney's Office (CAO).

On April 22, 2026, Plaintiff served the County with a second Proposal for Settlement ("Plaintiff's Second Proposal") in the amount of \$200,000.00. Pursuant to the applicable Florida Rule of Civil Procedure, the County has 30 days to accept Plaintiff's Second Proposal, or it will expire automatically. In the absence of a legislative claims bill, which requires majority approval in both chambers of the Florida Legislature, Plaintiff's damages, if any, inclusive of attorney's fees and costs, cannot exceed the sovereign immunity single individual 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 Plaintiff's Second Proposal is unreasonable and not commensurate with the value, if any, of the claim. Therefore, the CAO recommends the Board not accept Plaintiff's Second Proposal and allow it to expire. The CAO conferred with the Director of the Utilities Department, who concurs with this recommendation. If the Board approves the action requested, 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;

Kayla Lewis, Paralegal, at kayla.lewis@mymanatee.org; and

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

Distributed 5/19/26, RT

Cost and Funds Source Account Number and Name

N/A

Amount and Frequency of Recurring Costs

N/A