

Office of School Board Attorney
JulieAnn Rico, Board Attorney

**SUBJECT: APPROVAL OF SETTLEMENT AGREEMENT RE: COSTS AND FEES
SHARON SIMMONS v. THE SCHOOL BOARD OF MIAMI-DADE
COUNTY, FLORIDA - CIRCUIT COURT CASE NO. 02-6759 CA 15**

The above-referenced lawsuit was filed in state court on March 13, 2002. After unsuccessful attempts to get the case resolved by agreement or dismissed or decided by way of Motion for Summary Judgment, the matter went to trial on August 16 and 17, 2007. Prior to trial, Plaintiff demanded \$95,000.00 as a settlement solely for damages and excludes attorney's fees and costs. On August 28, 2007, the Circuit Court rendered judgment in favor of the Plaintiff for the sum of \$27,657.00. The Judgment also awarded Plaintiff reasonable court costs, including attorney's fees.

Subsequently, and subject to the approval of the School Board, the parties reached a settlement agreement as to the amount of court costs, including attorney's fees, to be awarded by the Court in this matter. The attorney for Plaintiff demanded \$137,000 in costs and fees, but the settlement agreement provides for payment of \$60,000.00.

The settlement is in the best interest of the School Board to bring this matter to closure after more than five years of litigation. Administration is in agreement with this settlement.

Acceptance and approval of the Settlement Agreement, which will be forwarded under separate cover, will obviate the need for further legal proceedings concerning said costs and fees.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, accept and approve the Settlement Agreement for court costs and fees in the case of Sharon Simmons v. The School Board of Miami-Dade County, Florida, Circuit Court Case No.: 02-6759 CA 15, and approve the payment of \$60,000.00, as full payment and final settlement of the reasonable court costs and fees due to Plaintiff in this matter.

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