



Legislation Details (With Text)

File #: ID#24-1237 **Version:** 1 **Name:** Request for authority to pay judgment in the case of Maximus Giannikos v. City of Clearwater, Case No. 22-424-CI for \$200,000.00

Type: Action Item **Status:** Public Hearing

File created: 9/20/2024 **In control:** City Attorney

On agenda: 10/3/2024 **Final action:**

Title: Request for authority to pay judgment in the case of Maximus Giannikos v. City of Clearwater, Case No. 22-424-CI for \$200,000.00.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Final Judgment

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|--------|--------|
| 10/3/2024 | 1 | City Council | | |

SUBJECT/RECOMMENDATION:

Request for authority to pay judgment in the case of *Maximus Giannikos v. City of Clearwater*, Case No. 22-424-CI for \$200,000.00.

SUMMARY:

On May 28, 2019, Maximus Giannikos crossed the intersection of US 19 and Gulf-to-Bay Blvd. when he was struck by a car driven by a private citizen who was not affiliated with the City. Mr. Giaanikos then initiated a lawsuit against the City on January 26, 2022.

The case proceeded to a jury trial that occurred between September 9, 2024 and September 13, 2024. The trial was bifurcated with the issue of liability tried first. The jury returned a liability verdict finding the plaintiff 55% at fault for his own harm. Had the accident happened today, the liability verdict would have resulted in a judgment in favor of the City. Since it did not, the case proceeded to a damages trial where the jury returned a verdict in excess of the statutory cap.

Authority is being sought to pay the City's payment liability under the judgment in the amount of \$200,000.00, subject to the disposition of any post-judgment motions.

APPROPRIATION CODE AND AMOUNT:

This settlement will be paid from Central Insurance Liability Claims cost code 5907590-545900. The Central Insurance Fund is an internal service fund that accounts for city-wide insurance costs and claims.