

UPDATE:

Landmark Settlement Reached

HUNGERFORD v. PALM BEACH COUNTY

Bill Hungerford, 17, was injured when the car he was driving ran into a guardrail along Haverhill Road in West Palm Beach. A metal pipe attached to the guardrail tore through the car's engine block, through his abdomen and out the back of his car. He was transported to the hospital with a section of pipe still through his abdomen and out his back. Billy's small intestine, small bowel, one kidney and part of his pancreas and colon were destroyed but Billy miraculously survived. He can now only eat through an intra-abdominal feeding system that he carries with him 15 hours a day. The feedings cost about \$175,000 a year and cause long-term liver damage. The intestine and liver transplants he may eventually require will cost about \$1 million.

On Billy's behalf, Jack Scarola brought suit against Palm Beach County, the State Department of Transportation and the guardrail installer for negligence in attaching the metal pipe to the guardrail. The guardrail contractor previously agreed to a \$1 million policy limits settlement. Palm Beach County Commissioners recently approved a \$3 million settlement, the county's largest legal payout ever. Due to a state law that places a \$200,000 limit on injury claims against local governments, the state legislature must approve this record-breaking settlement. Commissioners have agreed as part of the settlement to actively support a claims bill in Tallahassee. Litigation is proceeding against the sole remaining defendant, the State Department of Transportation. ■