

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS
OFFICE OF THE JUDGES OF COMPENSATION CLAIMS
Miami DISTRICT OFFICE

Alice Ramirez Gates
Claimant

OJCC Case No.: 92-003797CMH

vs.

DIA: 7/1/92

The City of Key West
Employer

Employers Mutual, INC.
Carrier/Service Agent

MEDIATION SETTLEMENT AGREEMENT

Pursuant to the Court's Order, a Mediation Conference was conducted on 3/10/14 before LOU MIELE.

The parties have resolved the issues presented and stipulate and agree to the following matters and/or issues:

Parties agree to resolve all claims, by way of a settlement for \$137,097.00 inclusive of an attorney fee of \$15,000.00 and prior attorney lien and costs totaling \$714.25. Claimant will receive \$121,382.75 from which she will allocate a proposed medicare set aside of \$44,447.00. In the event that medicare (CMS) requires more than this proposed amount, then the employer/carrier has the option to either fund the additional amount or void this agreement. In the event, that medicare (CMS) requires less than this proposed amount, then the employer/carrier will fund the amount approved, only and pay indemnity portion of \$92,750. Claimant agrees to execute a general release, for which the employer will pay the claimant \$100.00 as consideration. This agreement is contingent upon the following for approval.

① Employer, Excess Carrier ② City Commission.
This settlement resolves any/all dates of accident
that the claimant had with said employer.

Claimant agrees to resolve any/all liens for
fees and costs.

All petition for benefits shall be held in abeyance pending
all approvals.

This is a binding and enforceable settlement on all parties to this agreement subject
to the terms of this agreement.

The parties agree to promptly prepare and submit to the Court all documentation
required of this Settlement, if any, and to perform all agreed acts.

The foregoing Mediation Settlement Agreement has been stipulated to and agreed
to by the undersigned on behalf of themselves or their principals, in the presence of the
Mediator and themselves on 3/10/14; Mediator is scrivener only.

* Claimant

Attorney for Claimant

Employer/Carrier/Serviceing Agent

Attorney for Employer/Carrier/
Serviceing Agent

Respectfully Submitted,

LOU MIELE
MEDIATOR

INTERPRETER

* Claimant gave approval verbally via phone in presence of mediator