

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR SARASOTA COUNTY, FLORIDA

CARL MENDIAZ,

Case No. 2011 CA 007535 NC

Plaintiff,

v.

SARASOTA COUNTY SCHOOL
BOARD and TRAVELERS OF FLORIDA,

Defendants.

STIPULATION OF THE PARTIES

Pursuant to the Mediation Conference held the 12th day of December, 2012, the parties have agreed to abide by the following:

1. The Defendant(s) ^{School Board of Sarasota County} shall pay to the Plaintiff(s) the sum of \$ 80,000 in full settlement of Plaintiff(s) cause(s) of action constituting the dispute being mediated.
2. The Defendant(s) shall pay said sum through the office of Plaintiff(s) counsel of record within 10 days from the date of this stipulation.
3. The Plaintiff(s) shall ^{DROP AS A PARTY THE SCHOOL BOARD OF SARASOTA COUNTY} dismiss with prejudice any pending actions and execute and deliver to the Defendant(s) through the offices of Defendant(s) counsel a General Release and Indemnification Agreement holding the Defendant(s) ^{SCHOOL BOARD} and ~~its/their~~ insurance company(s) ^{SCHOOL BOARD} harmless from any third party liens or claims for which the Plaintiff(s) was/were able to legally collect and for which the Plaintiff(s) is/are legally liable only. ^{is formally approved by the School Board.}
4. Each side shall pay their own costs and fees.
5. This Stipulation is contingent upon the clearing of funds and the receipt by the Defendant(s) counsel of the dismissals and releases contemplated in paragraph 3 above.
6. This stipulation is subject to approval of the School Board at its January 8, 2013 meeting.
7. Defendant Travelers of Florida is hereby consenting to the School Board of Sarasota County paying this sum and is waiving its right of subrogation against the School Board.

8. It is hereby acknowledged and understood that, Travelers is not released and litigation between Plaintiff and Travelers will continue.

THIS AGREEMENT SHALL BE FILED WHEN REQUIRED BY LAW OR WITH THE PARTIES' CONSENT. IF THE AGREEMENT IS NOT FILED, A NOTICE OF DISMISSAL OR JOINT STIPULATION FOR DISMISSAL SHALL BE FILED.

THIS STIPULATION BECOMES BINDING UPON THE PARTIES BY THEIR EXECUTION AND THAT OF THEIR COUNSEL. THIS STIPULATION, IF FILED, SHALL BE ENTERED AS A JUDGMENT OF THE COURT, OR THE COURT SHALL RETAIN JURISDICTION TO ENTER FINAL JUDGMENT OR ENTER AN ORDER DISMISSING THE CAUSE.

Date 12/12/12

[Signature]
Mediator

Plaintiff

[Signature]
Defendant

[Signature]

Plaintiff

Defendant Insurance Company
Company Name:

[Signature]
Plaintiff(s) Counsel

[Signature]
Defendant(s) Counsel

Defendant

[Signature]
Defendant Insurance Company
Company Name: Travelers

[Signature]
Defendant(s) Counsel