

**IN THE CIRCUIT COURT OF THE EIGHTEETH JUDICIAL CIRCUIT
IN AND FOR SEMINOLE COUNTY, FLORIDA**

EVADNEY GOPIE,

Plaintiff,

vs.

CASE NO: 2023CA004072

**ROBERT WILLIS AND SITE
SOLUTIONS OF CENTRAL FLORIDA,
INC.,**

Defendants.

**ORDER ON DEFENDANT ROBERT WILLIS' AMENDED MOTION TO DETERMINE
ADMISSIBILITY OF MEDICAL BILLS AND SERVICES AND FOR ENFORCEMENT
OF FLORIDA STATUTE §768.0427 AND MOTION IN LIMINE**

THIS CAUSE came before the Court for a hearing on June 10, 2025, on Defendant, Robert Willis' Amended Motion to Determine Admissibility of Medical Bills and Services and For Enforcement of Florida Statute §768.0427 and Motion in Limine, filed on May 1, 2025 [Docket No. 104]. The Court read the Motion, reviewed the file, read the subject statute: section 768.0427(2), Florida Statutes, and heard the argument of the attorneys. Based on the foregoing, it is hereby

CONSIDERED, ORDERED and ADJUDGED that:

1. The filing of this case post-dates the March 24, 2023, effective date of HB 837.
2. The Court is required to interpret and apply the plain text of section 768.0427(2), Florida Statutes (2024).
3. The language of the Statute is clear and unambiguous and says:

2) ADMISSIBLE EVIDENCE OF MEDICAL TREATMENT OR SERVICE EXPENSES. — Evidence offered to prove the amount of damages for past or

future medical treatment or services in a personal injury or wrongful death action is admissible as provided in this subsection.

(a) Evidence offered to prove the amount of damages for past medical treatment or services that have been satisfied is limited to evidence of the amount actually paid, regardless of the source of payment.

(b) Evidence offered to prove the amount necessary to satisfy unpaid charges for incurred medical treatment or services shall include, ***but is not limited to, evidence as provided in this paragraph.*** Emphasis added.

4. Subsections (2)(b) and (2)(c) of section 768.0427, Fla. Stat. (2024), merely set forth lists of admissible evidence for unpaid or future medical bills.
5. Subsections (2)(b) and (2)(c) of section 768.0427, Fla. Stat. (2024), do not limit the evidence that may be offered at trial by either party.
6. The only limitation on evidence in section 768.0427 is the limitation for paid medical bills as outlines in subsection (2)(a); and
7. Subsections (2)(b) and (2)(c) of section 768.0427, Fla. Stat. (2024), are not lists of required evidence that Plaintiff must introduce at trial.
8. To the extent that the Plaintiff bears the burden of proving damages, Plaintiff has at its disposal, the evidence that the statute says “shall” be admissible, but is not limited to only that evidence. To the extent that the Defendant bears the burden of proving that the Plaintiff failed to mitigate damages, an affirmative defense, then the Defendant also has at its disposal, the evidence that the statute says “shall be admissible, but is not limited to only that evidence.
9. Accordingly, Defendant’s Amended Motion to Determine Admissibility of Medical Bills and Services and For Enforcement of Florida Statute §768.0427 and Motion in Limine is DENIED.

DONE and ORDERED in Chambers in Seminole County, Florida, this Tuesday, July 1,

2025. *Nunc Pro Tunc June 10, 2025*

59-2023-CA-004072 07/01/2025 11:19:38 AM

A handwritten signature in black ink, appearing to read "Donna Goerner", written over a horizontal line.

Donna Goerner, Circuit Judge

59-2023-CA-004072 07/01/2025 11:19:38 AM

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing ORDER ON DEFENDANT ROBERT WILLIS' AMENDED MOTION TO DETERMINE ADMISSIBILITY OF MEDICAL BILLS AND SERVICES AND FOR ENFORCEMENT OF FLORIDA STATUTE §768.0427 AND MOTION IN LIMINE was provided by e-service on this Tuesday, July 1, 2025 to:

ERICK M SALAZAR
esalazar@forthepeople.com
PAlston@forthepeople.com
NatalieGarcia@forthepeople.com

JERYIS TADROS
jtadros@orlandolaw.net
sjohnson@orlandolaw.net
trodriguez@orlandolaw.net

SITE SOLUTIONS OF CENTRAL FLORIDA INC
loureimer@icloud.com

Donna Marie Canina Doyle
admin@mediatefirstinc.com

Scott Danahy
sdanahy@orlandolaw.net

Scott D Danahy
sdanahy@orlandolaw.net
sjohnson@orlandolaw.net

A handwritten signature in black ink, appearing to read "Dawn Stallworth", written over a horizontal line.

Dawn Stallworth, Judicial Assistant

59-2023-CA-004072 07/01/2025 11:19:41 AM

Copies provided via e-service only through the Florida Courts E-Filing Portal. Moving party is responsible for service of all non-registered parties.