

IN THE CIRCUIT COURT OF THE NINTH  
JUDICIAL CIRCUIT, IN AND FOR ORANGE  
COUNTY, FLORIDA

CASE NO.: 2020-CA-011181-O

CARMEN PLUAS,

Plaintiff,

v.

ALEJANDRO BARRAGAN, SR., AND  
ALEJANDRO BARRAGAN, JR.,

Defendants.

**ORDER DENYING DEFENDANTS' MOTION  
IN LIMINE AS TO MEDICAL EXPENSES**

This cause, having come to be heard on June 4, 2024 upon Defendants', ALEJANDRO BARRAGAN, SR., AND ALEJANDRO BARRAGAN, JR. (referred to collectively as "Defendants"), Motion in Limine to Limit Plaintiff's Admissible Past and Future Medical Expenses to those Allowable Under Florida Statute § 768.0427 ("Motion in Limine"). Defendants' counsel and Plaintiff's counsel were present for the hearing. The Court considered the record evidence, the court file, and legal authorities and arguments submitted by counsel. This Court, being otherwise fully advised in the premises,

**FINDS AND DECIDES that:**

1. The Defendant, ALEJANDRO BARRAGAN, JR., was added as a party to this matter on April 11, 2023.
2. Prior to the addition of Defendant, ALEJANDRO BARRAGAN, JR., the Florida Legislature passed HB 837. Florida Statute § 768.0427 was enacted on March 24, 2023.

3. The Court has reviewed the language of HB 837 and Florida Statute § 768.0427, both of which provide that it only applies to causes of action filed after enactment of the statute.

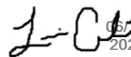
4. Because this case was filed on November 9, 2020, the language of HB 837 and Florida Statute § 768.0427 provide that it does not apply to this matter.

5. Accordingly, the Court need not consider whether the relation back doctrine, pursuant to Rule 1.190(c), Florida Rules of Civil Procedure, is applicable to Defendant, ALEJANDRO BARRAGAN, JR.

**It is therefore ORDERED AND ADJUDGED that:**

1. The Defendants' Motion in Limine is denied.

DONE AND ORDERED in Orlando, Orange County, Florida on the date of electronic signature.

 06/17/2024 14:20:14  
2020-CA-011181-O

eSigned by Luis Calderon 06/17/2024 14:20:14 WNaIB-hu

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LUIS F. CALDERON  
CIRCUIT JUDGE

The foregoing was filed with the Clerk of Court by using the Florida Courts E-Filing Portal System. Accordingly, a copy of the foregoing is being served to all attorneys/interested parties identified on the ePortal Electronic Service List, via transmission of Notices of Electronic Filing generated by the ePortal System. **Movant shall serve a copy of this Order on all parties not receiving Notice through the ePortal within five (5) days and shall file a Certificate of Service of the same with the Clerk.**

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