

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA

LINDA WILLIAMS

CASE NO.: CACE23-016735 (18)

Plaintiff,

vs.

BROWARD COUNTY, FLORIDA o/b/o
BROWARD COUNTY TRANSIT

Defendants.
_____ /

**ORDER GRANTING DEFENDANT'S MOTION IN LIMINE RE: EVIDENCE OF PAST
& FUTURE MEDICAL TREATMENT OR EXPENSES**

THIS CAUSE came before the Court at 8:30am on December 9, 2024, for a hearing on Defendant Broward County's Third Motion in Limine, seeking to apply Section 768.0427, Florida Statutes, to limit evidence concerning past and future medical expenses in this case. The Court, having reviewed the Motion, Plaintiff's Response, and the parties' arguments, hereby finds as follows:

1. Plaintiff sustained injuries in a bus accident on February 28, 2020, and filed this action on August 10, 2023, after the effective date of Section 768.0427, Florida Statutes, on March 24, 2023.
2. Defendant argued that the statute governs evidentiary issues and is therefore procedural in nature, allowing for retroactive application to Plaintiff's claims.
3. Plaintiff opposed the motion, asserting that Section 768.0427 is substantive, not procedural, and applying it retroactively would impair her vested rights. Plaintiff relied on recent decisions, including *Wolf v. Williams*, Case No. 5D2023-3234 (Fla. 5th DCA Nov. 25, 2024), which held that the statute applies prospectively to causes of action filed after its effective date.
4. The Court finds that Section 768.0427 is procedural in nature and does not affect substantive rights.

Accordingly, it is hereby ORDERED AND ADJUDGED as follows:

1. Defendant's Third Motion in Limine is **GRANTED**.
2. Section 768.0427, Florida Statutes, shall apply to this case, and evidence of Plaintiff's boardable medical expenses shall be limited as provided by the statute.

DONE AND ORDERED in Chambers, at Fort Lauderdale, Broward County, Florida, on January 16, 2025.



HON. FABIENNE FAHNESTOCK

Copies furnished to:

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