

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA FOR ESCAMBIA COUNTY

PAN CHILDERS
CLERK OF CIRCUIT COURT
ESCAMBIA COUNTY, FL

2016 MAY 19 P 3:12

CLARK ALLEN, et al.,)
)
Plaintiffs,)
)
v.)
)
A.E. NEW JR, INC.;)
CALDWELL ASSOCIATES)
ARCHITECTS, INC.; and)
ESCAMBIA COUNTY FLORIDA,)
)
Defendants.)

Case No. 2015-CA-000722
Division C

CIVIL DIVISION
FILED & RECORDED

ORDER APPOINTING CLAIMS ADMINISTRATOR FOR POTENTIAL SETTLEMENT

BEFORE THIS COURT, is the Unopposed Motion of Plaintiffs' Counsel to appoint a Claims Administrator to facilitate the Potential Settlement of this case and other cases that have been or could be brought with respect to the May 1, 2014, Escambia County, Florida Jail Fire. Defendants confirmed in Open Court that they do not oppose the Motion.

The Court, upon review of the Motion, the statements and arguments of Counsel, and fully advised in the premises and the record herein, finds the Motion be **GRANTED**.

Accordingly, it is hereby **ORDERED, ADJUDGED and DECREED** as follows:

1. The Court hereby appoints Ed Gentle, a neutral party retained by the Counsel for Plaintiffs, as the Claims Administrator of the Potential Voluntary Settlement, herein, to serve as a Special Magistrate under Florida Rule of Civil Procedure 1.490, whose duties will be limited strictly as follows: (a) to seek informed consent to participation in the proposed global settlement from all Claimants, both those represented and those Pro Se, (b) to explain the Potential Voluntary Settlement to the Pro Se Claimants and to request their voluntary consent thereto.

2. If additional duties or actions to perform the limited functions set forth in Paragraph 1

of this Order are believed necessary, Plaintiff's counsel must file a motion seeking same with notice to the Defendants. Mr. Gentle shall remain amenable to and subject to the jurisdiction of this Court which shall have the authority to revisit and revoke this Order for good cause shown by any party or in the exercise of this Court's own discretion.

3. Mr. Gentle is not authorized to act on behalf of, nor shall he purport to act on behalf of, nor make any adjudications or orders on behalf of either this Court nor on behalf of any of the Defendants in this action, nor any putative defendant or any insurer who elects to participate as a signatory to the Interim Term Sheet regarding the proposed settlement, and this Court and the Defendants/putative defendants or insurers shall not be in any way bound by or responsible for his actions.

4. If Mr. Gentle desires to communicate with employees or agents of a represented party, he shall communicate with and coordinate such efforts with counsel for the represented party and shall refrain from *ex parte* communications with represented parties absent permission from each such represented party's counsel.

5. To the extent of this Court's personal and subject matter jurisdiction, Mr. Gentle and his employees and agents are immune from personal liability in the execution of their duties with respect to the performance of the actions described hereinabove in Paragraph 1 of this Order, except for fraud, gross negligence or disobedience of any Order of this Court.

DONE and ORDERED this 18 day of May, 2016.



Thomas Dannheisser, Circuit Judge

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