

To: Judge Daniel Kilbride's Secretary

Re - Your Telephone message yesterday

I came to a settlement with the State Attorney Mr. A De Lucia.

I hope it will meet Judge Kilbride's approval. I am faxing to you, so you can have an overview. I pray it will meet the Judge's approval, because I am getting ill; recently diagnosed with diabetic retinopathy in the left eye growing blind in that eye, and the other getting bad also. I am advised to live a calm, quiet life style at this time due to dx: diabetes, HTN + cardiac problems. I just have to give up, fighting for my rights. It is like in the movie "I am Sam" now showing. It is better to suffer defeat and stay alive, than to die a winner.

L M Crawford

T-350 P02/06 U-283

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Remote CSIP 02-07-02 11:03 FROM-INTERIM HEALTHCARE

4075391463

Sender:

6

Pages:

11:02 AM

Time:

2/7/02

Date:

**EGAN, LEV & SIWICA, P. A.**  
ATTORNEYS AND COUNSELORS AT LAW

JOSEPH EGAN, JR.  
TOBE M. LEV  
RICHARD P. SIWICA  
KATHRYN S. PISCITELLI  
LINDSAY N. OYEWALE

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FAX (407) 422-3658

STREET ADDRESS  
231 E. COLONIAL DRIVE  
ORLANDO, FLORIDA  
32801

February 1, 2002

Lurline Crawford  
6522 Pomeroy Circle  
Orlando, FL 32810

Dear Ms. Crawford:

Enclosed please find a copy of a settlement agreement. Please call Lindsay Oyewale as soon as you have read the agreement.

Sincerely,



Dianna L. Bichard  
Legal Assistant to Lindsay Oyewale



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COPY

Job Bush Governor  
Kathleen A. Kearney Secretary

TRANSMITTED FROM HOSPITAL COUNSEL'S OFFICE  
Fax No.: (863) 494-8389 (Suncom 762-8389)

DATE: 1/29/02

TIME: 11:50 AM

THE FOLLOWING 2 PAGES ARE BEING SENT:

TO: Lindsay Oye wale FAX (407)-422-3658

FROM: Anthony N. DeLuccia, Jr., Hospital Counsel  
G. Pierce Wood Memorial Hospital  
5847 S.E. Highway 31  
Arcadia, FL 34265

CCs or SPECIAL INSTRUCTIONS: Revised Luiline Crawford  
Settlement Agreement - Please review and advise if it is  
acceptable Thank you Anthony N. DeLuccia Jr.

The information contained in this facsimile message is attorney privileged and confidential, intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the address below VIA the U.S. Postal Service. If you are the intended recipient and do not receive all pages, please call us as soon as possible.

ORIGINAL DOCUMENT:  WILL NOT BE SENT  WILL BE SENT BY:  
 OVERNIGHT MAIL  REGULAR MAIL

If you have difficulty with this transmission, call Linda Snyder at (863) 494-8253, or SC 762-8253.

G. Pierce Wood Memorial Hospital  
5847 SE Highway 31 • Arcadia, Florida 34266-9627

The Department of Children and Families is committed to working in partnership with local communities to ensure safety, well-being and self-sufficiency for the people we serve.

Remote CSID 02-07-02 11:53 FROM-INTERIM HEALTHCARE 4075391463  
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T-350 P04/06 U-283

Received Event (Event Succeeded)

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

LURLINE M. CRAWFORD,

CASE NO. 01-4806

Petitioner,

and

DEPARTMENT OF CHILDREN  
AND FAMILY SERVICES,

Respondent.

STIPULATION OF SETTLEMENT AND DISMISSAL

The Department of Children and Family Services by and through its undersigned counsel, hereafter referred to as the Respondent, and LURLINE M. CRAWFORD, hereinafter referred to as the Petitioner, enter into this Agreement to settle the Petitioner's Administrative Hearing before the Division of Administrative Hearings. The terms of the settlement are:

Factual Background:

1. The Petitioner was employed as a registered nurse specialist by the Respondent on December 4, 1989. On July 17, 1996 the Petitioner discovered an empty oxygen cylinder on the Washington residence. She reported her discovery in writing on the Resident Care Report and requested that the day shift replace the empty oxygen cylinder. On August 19, 1996 the Respondent terminated Petitioner based upon the charge of negligence due to her failure to replace the empty oxygen cylinder at the time of discovery on her shift.
2. The Petitioner submitted evidence to the Respondent in the form of sworn statements from Jean M. Spas and Claudette Turner which indicate that they, as night shift nurses (11:00 p.m. to 7:00 a.m.) would report improper emergency equipment to the day shift nurses (6:30 a.m. to 3:00 p.m.) for repair or replacement.
3. Jean M. Spas and Claudette Turner were not disciplined by the Respondent for reporting similar deficiencies to the day shift.

The Respondent Agrees:

1. To amend the basis of Petitioner's termination from employment on August 19, 1996 to be for a charge of violation of rules, regulations and procedures. The former charge of negligence and falsifying of records is hereby deemed to be invalid. The filing of this document will be evidence of such amendment to Petitioner's employment record.
2. To accept Petitioner's allegation of discrimination based upon disparate treatment for purpose of this Agreement only. However, Respondent reserves the right to dispute her allegations at any future hearing.

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**LURLINE M. CRAWFORD  
v. DEPARTMENT OF CHILDREN  
AND FAMILY SERVICES - Page Two**

- 3. That Petitioner is eligible to apply for future employment with any state agency in the State of Florida.

**The Petitioner Agrees:**

- 1. To voluntarily dismiss her petition for administrative hearing.
- 2. That this Agreement fully, finally and forever releases and discharges for herself, her attorneys, heirs, executors, administrators, successors and assigns, the State of Florida, Department of Children and Family Services and its agents, representatives, and attorneys (collectively referred to as the "Respondent"), of and from all claims, demands, actions, causes of action, suits, damages, losses and expenses, of any and every nature whatsoever arising from any of all of the facts of circumstances which gave rise to this action, including, but not limited to, those claims asserted or any federal, state, or administrative action of other claims that were or might have been asserted by or on behalf of Petitioner against Respondent in the Division of Administrative Hearings and any other suits or charges filed or which may be filed by or on behalf of Petitioner with any federal, state or local agency of court relating to these facts or circumstances whatsoever except for any pending eligible claims for Worker's Compensation.

**The Respondent and Petitioner Mutually Agree:**

- 1. To waive their rights to file exceptions to the Administrative Law Judge's Recommended Order, if the Administrative Law Judge recommends approval of this Settlement Agreement to the Florida Commission on Human Relations and the Department of Children and Family Services.
- 2. That each party shall bear his or her own attorney fees, costs and expenses related to this Agreement.
- 3. This Agreement constitutes the entire Agreement between the parties in this matter.

\_\_\_\_\_  
ANTHONY N. DeLUCCIA, JR., ESQ.  
Attorney for Respondent

*Lurline M Crawford 2/4/02*  
\_\_\_\_\_  
LURLINE M. CRAWFORD  
Petitioner

Dated: \_\_\_\_\_

\_\_\_\_\_  
LINDSAY N. OYEWALE, ESQ.  
Attorney for Petitioner

Dated: \_\_\_\_\_

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