

**STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS
OFFICE OF THE JUDGE OF COMPENSATION CLAIMS
Orlando District**

EMPLOYEE:

Orlando Monteagudo
1216 Village Way
Orlando, FL 32807

EMPLOYER:

Payroll Made Easy, Inc. d/b/a
Continuum HR
11691 Gateway Blvd, #104
Fort Myers, FL 33913

CARRIER:

SUNZ Insurance Company
100 Second Avenue North,
Suite 300
St. Petersburg, FL 33701

SERVICING AGENT:

North American Risk Services
PO Box 166002
Altamonte Springs, FL 32716

ATTORNEY FOR EMPLOYEE:

Monica De Feria Cooper,
Esquire
Law Office of Richard
Zaldivar
2600 SW 3rd Avenue, 9th Floor
Miami, FL 33129

**ATTORNEY FOR
EMPLOYER/CARRIER:**

Gregory D. White, Esquire
Hurley, Rogner, Miller,
Cox and Waranch, P.A.
1560 Orange Avenue, Suite 500
Winter Park, FL 32789

OJCC CASE NO.: 15-018157TWS
D/A: 5/1/2015

**FINAL EVIDENTIARY ORDER GRANTING EMPLOYER/CARRIER'S VERIFIED
MOTION TO TAX COSTS**

THIS MATTER came before me, the undersigned Judge of Compensation Claims, for an Evidentiary Hearing on the Employer/Carrier's Verified Motion to Tax Costs filed on December 17, 2015. The hearing was held on March 17, 2016. The Verified Motion was filed on December 17, 2015. The claimant was represented by Monica De Feria Cooper and the Employer/Carrier (E/C) by Gregory D. White, Esquire.

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DOCUMENTARY EVIDENCE

1. A composite of pleadings filed by the Employer/Carrier consisting of a petition for benefits filed on August 7, 2015 naming SUNZ Insurance Company as the carrier, a petition for benefits filed on December 10, 2015 naming SUNZ Insurance Company as the carrier, and the Notice of Voluntary Dismissal Without Prejudice against SUNZ Insurance Only filed on December 11, 2015 by the claimant.

2. Verified Motion to Tax Costs filed by the Employer/Carrier on December 17, 2015.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

I find that the claimant did file two petitions for benefits against SUNZ Insurance Company. Additionally, the claimant did file a Voluntary Dismissal dismissing the two outstanding petitions against SUNZ Insurance Company. SUNZ Insurance Company is the prevailing party in this matter. The Employer/Carrier filed their Verified Motion to Tax Costs on December 17, 2015 requesting reimbursement of costs in the amount of \$380.00 that had to be expended in the taking of the deposition of the claimant while the petitions were still outstanding against SUNZ Insurance Company. I find that the requested costs are reasonable and related to the petitions for

benefits that were dismissed. I find that the costs in the
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amount of \$380.00 are properly taxable.

WHEREFORE, it is Ordered and Adjudged that:

1. The Employer/Carrier's Verified Motion to Tax Costs filed on December 17, 2015 is hereby granted and the claimant is ordered to reimburse the employer/carrier \$380.00.

DONE and ORDERED in Orlando, Orange County, Florida.

This 23rd day of March, 2016

Thomas W. Sculco



Thomas W. Sculco

Judge of Compensation Claims
Division of Administrative Hearings
Office of the Judges of Compensation Claims
Orlando District Office
www.jcc.state.fl.us

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that the Order was entered by the Judge of Compensation Claims and electronically served on the Carrier and the Attorney of Record.

Marla Miller

03/23/2016

Marla Miller
District Clerk
Orlando District Office