

Tentative settlement in prison death lawsuit

The Associated Press

Published Friday, January 19, 2007

JACKSONVILLE -- Relatives of death row inmate Frank Valdes, who died after a violent confrontation with prison guards, have reached a \$737,500 tentative settlement with the state in their lawsuit against corrections officers and the former head of Florida's prisons.

The settlement, filed Wednesday in federal court in Jacksonville, still requires the signatures of U.S. District Judge Timothy Corrigan and a probate judge in Miami-Dade County.

Valdes died on July 17, 1999, after being attacked at Florida State Prison. Autopsy results showed he had 22 broken ribs, fractures of his sternum, vertebrae, nose and jaw and numerous internal injuries.

Mario Valdes, the father of the slain inmate, sued several guards, corrections officials and the state on Feb. 20, 2002. The Department of Corrections and its officials and then-Gov. Jeb Bush were later dropped from the lawsuit.

The Florida Division of Risk Management settled the case, division spokeswoman Nina Banister said. The division represents state employees acting in their official capacity.

Banister said the state will pay the settlement, attorneys fees and costs, for a total of \$1,169,923.

The law firm Rubin & Rubin will receive attorney's fees in the amount of \$331,875 and reimbursement of \$102,548 in costs.

A spokeswoman for Guy Rubin, the Valdes family attorney, said neither he nor the family will comment on the settlement until it is finalized.

[The Valdes family was represented by Guy Rubin, Esq. of Rubin & Rubin, and **Stuart M. Address, Esq., of Stuart M. Address, P.A.**, formerly of Rubin & Rubin].