

**IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
CIRCUIT CIVIL DIVISION**

KATHY ORTIZ,
Plaintiff,

CASE NO.: 15-CA-5241

v.

DIVISION: G

**FLORIDA STRAWBERRY FESTIVAL, INC.,
a Florida corporation; and BELLE CITY
AMUSEMENTS, INC., a Florida corporation,
Defendants.**

**ORDER GRANTING PLAINTIFF'S MOTION FOR RECONSIDERATION AND
ORDER DENYING DEFENDANTS' SEPTEMBER 18, 2017, MOTION IN LIMINE
REGARDING MEDICAL BILLS**

THIS MATTER is before the Court on Plaintiff's Motion for Reconsideration to Allow Presenting the Full Reasonable Medical Bills at Trial in Light of *Joerg v. State Farm*, which Overrules *Cooperative Leasing*, filed February 16, 2018. Defendants' Motion in Limine Regarding Medical Bills based on Status of Medicare Beneficiary, filed September 18, 2017, came before the Court for hearing on February 14, 2018. Having considered the Motions, the court file, and applicable legal authority, the Court finds that it will grant Plaintiff's Motion for Reconsideration. As such, the Court further finds that Defendants' Motion in Limine Regarding Medical Bills based on Status of Medicare Beneficiary is hereby denied. *Joerg v. State Farm Mut. Auto. Ins. Co.*, 176 So. 3d 1247, 1249 (Fla. 2015) (holding that Medicare and Medicaid benefits are no different than private insurance when it comes to the evidentiary collateral source rule).

It is therefore **ORDERED** and **ADJUDGED** that Plaintiff's Motion for Reconsideration is hereby **GRANTED**. Defendants' Motion in Limine Regarding Medical Bills based on Status of Medicare Beneficiary is hereby **DENIED**.

DONE AND ORDERED in Chambers in Tampa, Hillsborough County, Florida, this the ___ day of February, 2018.

Electronically Conformed 2/28/2018

MARTHA J. COOK, Circuit Court Judge

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