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WASHINGTON, D.C.

July 11, 2019

By U.S. Certified Mail # 7018 3090 0000 7596 7361

Superintendent Jeff Eakins
School District of Hillsborough County
P.O. Box 3408
Tampa, Florida 33601

Re: *Hezekiah Walters* DOI: 06/12//2019 DOB: 03/01/2005

Dear Mr. Eakins:

Our Firm represents Phyllis Walters and Felix Walters, as the co-personal representatives *de son tort*, of the Estate of their son, Hezekiah Walters, for wrongful death claims due to a negligent football conditioning exercise session on the afternoon of June 11, 2019 at Middleton High School. We understand you are well aware of Hezekiah's tragic death and are conducting your own investigation. Pursuant to Florida Statute § 768.28, this correspondence is provided as formal notice of their intention to initiate litigation against the School District of Hillsborough County in six (6) months if their claims are not satisfactorily resolved. To our knowledge, there are no claims in excess of \$200.00 owed by Hezekiah's survivors to the State, its agencies, officers or subdivisions.

Hezekiah was fourteen years old having completed the Eighth Grade at Franklin Middle School just days before he joined the other football players for afternoon off-season conditioning sessions at Middleton. In addition to his interest in football, Hezekiah chose Middleton because of his skill and interest in computer coding made him a natural fit for the school's Gaming Academy. On the first day, his father made it known to the coaching staff that Hezekiah had never participated in rigorous physical training and would need appropriate instruction, supervision and guidance while being gradually conditioned into team activities that only very experienced and prepared athletes are acclimatized to endure.

Our preliminary investigation reveals Hezekiah was doing strenuous conditioning drills with other lineman outside in near 90 degree temperatures that started shortly after 3:00 pm. The heat index was extremely high warranting special considerations and diligent watching by trained adult supervisors. We understand no certified athletic trainer was present. After running sprints and other drills, Hezekiah became overheated and collapsed. We are uncertain of the response and what timely attempts were made to assist him. When paramedics arrived, Hezekiah was in cardiac arrest and never recovered despite the efforts of emergency responders and emergency room personnel at St. Joseph's Hospital. His death shocked and devastated his parents and family.

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Hezekiah was a special young man who is deeply missed. To assist his parents in finding out all the facts that lead up to his tragic death we request to be provided with all documents related to this incident including, but not limited to, the following : (1) Hezekiah's participation in football activities including authorizations and prior workouts; (2) player roster/sign-in sheet for who participated that day; (3) the training plan or exercise schedule, (4) any print outs or other electronic information from any defibrillator or other medical equipment that may have been used; (5) the names of all adults associated with monitoring the training activities or present at the school at that time including their position and relationship to athletic activities; and (6) access to all video camera recordings of the field, locker/training room doorway, coaches offices, hallways or other such sites relative to the activities that afternoon.

We have requested his medical records and are in contact with the Hillsborough County Medical Examiner who conducted the autopsy and is investigating the cause of his death. We will share the results and records with you in an appropriate manner.

We trust you will join with us to learn from Hezekiah's death in order to prevent such tragedies from ever happening again. Let us know if we can provide any information to assist your investigation.

Sincerely,



David D. Dickey

cc: Florida Department of Financial Services, By Certified Mail # 7018 3090 0000 7596 7378
James Murman, Esq. (by email)
Ms. Phyllis Walters
Mr. Felix Walters