

# Former SEC chief accountant sues his HOA over bicycle crash, wins \$41 million award

By RON HURTIBISE | SOUTH FLORIDA SUN SENTINEL | MAY 17, 2019 | 6:00 AM



A Palm Beach County jury said the former Securities and Exchange Commission's chief accountant is entitled to \$41 million in damages from a bicycle crash in his Jupiter neighborhood, Jonathan's Landing. Jim Schnurr had to retire from his job with the commission to recover from injuries suffered in the crash in April 2016. - Original Credit: - Original Source: (Courtesy)

A Palm Beach County jury has awarded \$41 million in damages to a former Securities and Exchange Commission official who suffered severe injuries in a bicycle crash in his Jupiter neighborhood.

James Schnurr was forced to leave his job as the SEC's chief accountant in 2016 so he could recover from the April 2016 crash.

Schnurr filed suit in August 2016 against the homeowners association overseeing Jonathan's Landing and Jonathan's Landing Golf Club, Inc. He claimed the organizations erected two stanchions "which constitute physical obstructions to cyclists" on the bike trail but failed to provide pavement markings, signage or other warnings of "their hazardous nature."

Upon striking one of the stanchions, Schnurr "was ejected from his cycle and hit the ground, causing him significant and permanent injuries," his complaint stated.

Stanchions are upright posts, bars, or frames typically connected by chains, velvet rope or cloth belts to delineate crowd-control boundaries. They are often used to control the direction of airport security queues or to mark off "red carpet" entries to nightclubs.

According to news accounts, Schnurr was replaced with an interim chief accountant in July 2016 while he recovered from the crash. He retired permanently in November 2016. The watchdog site FederalPay.org reported his 2016 salary as \$248,292.

As well as incurring expenses for medical, nursing and rehabilitative care, Schnurr suffered loss of earnings and the loss of ability to earn money in the future, according to his complaint.

The association and golf club fought the charges, with the association contending Schnurr rode his bike “in a careless and negligent manner by failing to observe where he biked” and “was biking recklessly.”

The jury on Thursday determined all of the parties shared responsibility. The association was 45 percent negligent because it failed to notify Schurr of the dangerous conditions while the golf club’s 5 percent negligence contributed to Schnurr’s loss, injury or damage. The court will determine whether to cut the \$41 million award to reflect how responsibility was distributed, according to jury instructions filed with the award determination.

Schnurr was found to be 50 percent negligent. The jury awarded Schnurr \$4,800,000 for past hospitalization, medical and nursing care; \$12 million for future hospitalization, medical and nursing care; \$750,000 in lost previous wages; \$3.5 million for lost future wages; \$10 million for pain and suffering and loss of enjoyment of life; and \$5 million to cover those more pain and suffering in the future. In addition, Schnurr’s wife Christine was awarded \$5 million for loss of her husband’s “comfort, society and attention.”

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