



walked in front of 814 Church Street, Ms. Buscemi tripped on the uneven sidewalk and fell, injuring her head and right wrist.

Ms. Buscemi sought treatment and was diagnosed with a concussion and sprain of her right wrist. Later, she sought treatment for headaches and vertigo. A neurologist diagnosed her with post-concussive syndrome. An MRI produced no abnormal results and Ms. Buscemi discontinued treatment. Ms. Buscemi incurred \$13,360.09 in medical expenses related to this incident. Her husband, Mr. Buscemi, has asserted a loss of consortium claim during the time Ms. Buscemi spent recovering from her injuries.

The Department of Law recommends settlement of this claim for \$9,500. If the case were to go to trial and the Plaintiffs prevailed, it is possible that they would recover a higher sum and Metro would incur costs to retain a rebuttal expert.

*Fiscal Note: This \$9,500 settlement, along with the settlement per Resolution Nos. RS2021-1277, and RS2021-1297 would be the 17<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup> payments from the Self-Insured Liability Fund in FY22 for a cumulative total of \$1,022,807. The fund balance would be \$6,864,004 after these payments.*