

the park. He walked down a path near the Centennials Arts Center but soon realized the path led away from the building. It was dark outside and Mr. Smith turned around to walk toward the Centennial Arts Center courtyard. He stepped on a low brick wall approximately 18 to 20 inches high, believing this was part of a flower bed. The brick wall, however, surrounded an open stairwell that was ten feet deep. Mr. Smith fell into the open stairwell and was seriously injured.

Mr. Smith was treated at the emergency room. He underwent emergency surgery to repair multiple fractures and tendon and ligament damage in his left ankle. Mr. Smith required permanent surgical hardware to be installed in his ankle. Following the surgery, Mr. Smith was prescribed a knee scooter for ambulation for one month and was then transitioned to a walking boot, which he used for several months. He also required physical therapy for ten months.

The Department of Law recommends settlement of Mr. Smith's personal injury claim for \$150,000.

Fiscal note: This \$150,000 settlement, along with the settlements per Resolution Nos. RS2023-73, RS2023-85, RS2023-86, RS2023-87 and RS2023-91 would be the 10th, 11th, 12th, 13th, 14th, and 15th payments from the Self-Insured Liability Fund in FY24 for a cumulative total of \$724,800. The fund balance would be \$15,906,418 after these payments.