

On May 27, 2021, John Dernbach was walking his dog on a sidewalk along Chestnut Street when his lower leg or calf was impaled by a damaged “no parking” sign. Mr. Dernbach was taken by ambulance to the Vanderbilt Emergency Medical Center. He was diagnosed with a leg laceration and a tendon injury in his right leg. Mr. Dernbach underwent surgical debridement and tendon repair. He also participated in extensive physical therapy following the surgery. Mr. Dernbach continues to experience some pain and weakness in his right foot. He has incurred \$60,213.72 in medical expenses to date.

The Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”) was notified of the damaged sign on the day after the incident. The sign was quickly repaired to prevent other injuries. The signpost in question was not reported to NDOT before the incident, but photographs showed that the sign had been damaged for more than two and a half years prior to Mr. Dernbach’s injury.

The Department of Law recommends settlement of Mr. Dernbach’s negligence claim for \$137,500.

Fiscal Note: The total settlement amount is \$137,500. This settlement along with Resolution Nos. RS2024-496 and RS2024-518 would be the 27th, 28th and 29th payments from the Self-Insured Liability Fund in FY24 for a cumulative total of \$1,592,317. The fund balance would be \$13,763,978 after these payments.