



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: RS2022-1630, **Version:** 1

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Sandra Marshall against the Metropolitan Government of Nashville and Davidson County in the amount of \$28,000.00, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on November 4, 2021, Sandra Marshall was walking near Mellow Mushroom Pizza at 423 Broadway when she tripped and fell due to missing bricks in the sidewalk, causing personal injury; and,

WHEREAS, after investigation, the Metropolitan Department of Law believes that the settlement listed in Section 1 is fair and reasonable and in the best interest of the Metropolitan Government and recommends that any and all claims or causes of action brought or that could have been brought by Sandra Marshall related to the events detailed above, be compromised and settled for \$28,000.00, and that this amount be paid from the Self-Insured Liability Fund.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1: The Metropolitan Department of Law is authorized to compromise and settle the personal injury claim of Sandra Marshall for the sum of \$28,000.00 with said amount to be paid from the Self-Insured Liability Fund.

Section 2: This resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

On November 4, 2021, Sandra Marshall was walking with a tour group on Broadway when she tripped on the uneven brick sidewalk. Ms. Marshall fell to the ground, injuring her knees and hitting her head. The day after the fall, Ms. Marshall sought medical treatment and was to have no broken bones, but fluid had accumulated on her left knee. Her left leg was bandaged and she was given crutches to assist with walking. When she returned to her home in Illinois, she sought additional treatment and was diagnosed with a broken kneecap and a Meniscal tear, requiring gel injections to the knee.

The Department of Law recommends settlement of this personal injury claim for \$28,000, representing \$14,029.48 in medical expenses and \$13,970.52 in pain and suffering.

Fiscal Note: This \$28,000.00 settlement would be the 30th payment from the Self-Insured Liability Fund in FY22 for a cumulative total of \$1,312,315. The fund balance would be \$9,887,313 after this payment.