



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: RS2022-1411, **Version:** 1

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Dorothy Wyatt against the Metropolitan Government of Nashville and Davidson County in the amount of \$50,000.00, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on June 4, 2021, an employee of the Nashville Department of Transportation and Multimodal Infrastructure (NDOT), while operating a vehicle owned by the Metropolitan Government, was attempting a left turn from 12th Avenue South onto Edgehill Avenue. At the same time, Dorothy Wyatt was in the pedestrian crosswalk of 12th Avenue South and was struck by the vehicle driven by the NDOT employee, causing Ms. Wyatt 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 the personal injury claim be compromised and settled for \$50,000.00, 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 Dorothy Wyatt for the sum of \$50,000.00 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 June 4, 2021, an employee of the Nashville Department of Transportation and Multimodal Infrastructure (NDOT) was attempting to turn left onto Edgehill Avenue from 12th Avenue South when the employee struck a pedestrian, Ms. Dorothy Wyatt. Ms. Wyatt was crossing 12th Avenue South at Edgehill Avenue within the pedestrian crosswalk.

Ms. Wyatt was transported to a hospital complaining of pain in her ankles, legs, knees, back, elbows, and head. After x-rays and a CT scan, she was diagnosed with head trauma. She required physical therapy related to her knee, shoulder, and back pain.

The Department of Law recommends settlement of this personal injury claim for \$50,000. This includes \$26,946.23 for her medical costs and \$23,053.77 for pain and suffering.

Fiscal Note: This \$50,000 settlement would be the 24th payment from the Self-Insured Liability Fund in FY22 for a cumulative total of \$1,154,918. The fund balance would be \$7,293,933 after this payment.