



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: RS2023-2080, **Version:** 1

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Haley Gunter against the Metropolitan Government for \$60,000.00, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on August 17, 2022, an employee of the Metro Water Services Department, while operating a vehicle owned by the Metropolitan Government, was driving southbound on Nolensville Road behind Haley Gunter's vehicle. Ms. Gunter stopped her vehicle to allow a WeGo bus to pass her on the right so she could enter the McDonald's parking lot. The Metro vehicle struck Ms. Gunter's 2016 Nissan Versa in the rear causing extensive damage to her vehicle and injury to Ms. Gunter; 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 of Haley Gunter be compromised and settled for \$60,000.00, 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 Haley Gunter for the sum of \$60,000.00 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 August 17, 2022, Haley Gunter was driving southbound on Nolensville Road when she stopped her vehicle to let a WeGo bus pass her and turn into a parking lot on her right. A Metro Water Services employee was driving behind Ms. Gunter in a waste services truck and was unable to stop, colliding with the rear of her vehicle.

Ms. Gunter was transported from the scene to the hospital, complaining of a headache and neck and upper back pain. CT scans were ordered of her chest, abdomen, pelvis, head, and cervical spine. She was released and advised to follow-up with her primary care physician. On August 22, 2022, Ms. Gunter saw her primary care physician with complaints of neck pain and upper and mid-back spasms as well as hip and thigh pain. Additional x-rays were ordered and she started physical therapy. She also saw an orthopedist for hip and knee pain. Her total medical costs were \$34,943.36.

The Department of Law recommends settlement of Ms. Gunter's personal injury claim for \$60,000, including her total medical costs and pain and suffering.

Disciplinary action taken against the Metro Water Services employee consisted of a verbal reprimand.

Fiscal Note: This \$60,000 settlement, along with the settlement per Resolution Nos. RS2023-2077 would be the 23rd and 24th payments from the Self-Insured Liability Fund in FY23 for a cumulative total of \$820,340. The fund balance would be \$17,216,100 after these payments.