



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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**File #:** RS2023-2218, **Version:** 1

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A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Robert Newsome against the Metropolitan Government of Nashville and Davidson County in the amount of \$14,000.00, with said amount to be paid from the Self-Insured Liability Fund.

WHEREAS, on October 16, 2020, Robert Newsome was injured while attempting to exit a parked car that was struck by a Metro-owned vehicle near the intersection of 25<sup>th</sup> Avenue North and Dowlan Street; 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 Robert Newsome related to the events detailed above, be compromised and settled for \$14,000.00 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 Robert Newsome for the sum of \$14,000.00, 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 October 16, 2020, Robert Newsome was riding in a car driven by his wife. Mr. Newsome was being dropped off at the Cumberland View Apartments, located at the corner of 25<sup>th</sup> Avenue and Dowlan Street, where he was employed as a maintenance work and grounds keeper. At the same time, an NDOT employee stopped at that location to use the restroom. As the NDOT employee was attempting to back up his vehicle, he struck the rear of the Newsomes' vehicle. Mr. Newsome was exiting the vehicle when the collision occurred and was caught between the open car door and the NDOT vehicle.

Mr. Newsome sought treatment for left leg pain and swelling. He was prescribed a course of physical therapy and attended over 25 visits in a two-month period. Mr. Newsome incurred \$9,118 in medical expenses.

The Department of Law recommends settlement of Mr. Newsome's personal injury claim for \$14,000.

Disciplinary action taken against the NDOT employee involved consisted of a verbal reprimand.

*Fiscal Note: This \$14,000 settlement, along with the settlements per Resolution Nos. RS2023-2228, RS2023-2229, RS2023-2230, and RS2023-2231 would be the 32<sup>nd</sup>, 33<sup>rd</sup>, 34<sup>th</sup>, 35<sup>th</sup> and 36<sup>th</sup> payments from the Self-*

*Insured Liability Fund in FY23 for a cumulative total of \$1,406,499. The fund balance would be \$18,224,942 after these payments.*