



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: RS2023-73, **Version:** 1

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Gloria Sawyers against the Metropolitan Government of Nashville and Davidson County for \$40,000.00, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on February 9, 2023, a Nashville Fire Department (NFD) engine was traveling north on Dupont Avenue responding to a call with lights and siren activated. Gloria Sawyers was also traveling north on Dupont Avenue and yielded to the NFD engine to allow it to go around her vehicle. When the call was cancelled, the NFD crew turned the lights and sirens off. Not realizing that Ms. Sawyers vehicle was behind it, the NDF engine began backing and struck Ms. Sawyers vehicle's front end, causing injury to her;

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 Gloria Sawyers be compromised and settled for \$40,000.00, 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 Gloria Sawyers for the sum of \$40,000.00 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 February 9, 2023, a Nashville Fire Department engine was traveling north on Dupont Avenue while responding to a call with its lights and sirens activated. The call was cancelled, and the fire engine turned its emergency signals off and began backing up to make way for an ambulance. The driver of the engine collided with the vehicle behind it driven by Gloria Sawyers. A property damage claim related to Ms. Sawyers's vehicle was previously settled for \$4,400.

Ms. Sawyers suffered from a headache and pain in her neck and spine. She had difficulty moving, walking, sitting, standing, bending, and lifting objections. Ms. Sawyers sought care at the emergency room on February 9, 2023, where x-rays and a CT scan were performed. She had a follow-up visit on February 11, 2023. She also received physical therapy treatment to relieve and decrease her neck and back pain.

The Department of Law recommends settlement of Ms. Sawyers' personal injury claims for \$40,000, which includes her medical bills and additional pain and suffering.

Disciplinary action against the Nashville Fire Department employee involved is pending supervisor review.

Fiscal note: This \$40,000 settlement, along with the settlements per Resolution Nos. RS2023-81, RS2023-85, RS2023-86, RS2023-87 and RS2023-91 would be the 10th, 11th, 12th, 13th, 14th, and 15th payments from the Self-Insured Liability Fund in FY24 for a cumulative total of \$724,800. The fund balance would be \$15,905,418 after these payments.