



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: RS2020-621

Type: Resolution **Status:** Passed

File created: 10/23/2020 **In control:** Metropolitan Council

On agenda: 11/5/2020 **Final action:** 11/5/2020

Title: A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Serita Applewhite against the Metropolitan Government of Nashville and Davidson County in the amount of \$16,500.00, with said amount be paid out of the Self-Insured Liability Fund.

Sponsors: Kyonzte Toombs

Indexes:

Code sections:

Attachments: 1. RS2020-621

Date	Ver.	Action By	Action	Result
11/6/2020	1	Mayor	approved	
11/5/2020	1	Metropolitan Council	adopted	
11/2/2020	1	Budget and Finance Committee	approved	

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Serita Applewhite against the Metropolitan Government of Nashville and Davidson County in the amount of \$16,500.00, with said amount be paid out of the Self-Insured Liability Fund.

WHEREAS, on December 26, 2019, Serita Applewhite was involved in an automobile collision in the parking lot of the Riverchase Apartments when a Metropolitan Nashville Police Department vehicle attempted to pass Ms. Applewhite's vehicle while she was making a right turn into a parking space, causing her 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 Serita Applewhite related to the events detailed above be compromised and settled for \$16,500.00, 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 Serita Applewhite for the sum of \$16,500.00 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.

This resolution authorizes the Department of Law to settle the personal injury claim of Serita Applewhite against the Metropolitan Government for the amount of \$16,500. On December 26, 2019, Serita Applewhite

was attempting to turn into a parking space at the Riverchase apartments when her vehicle was struck by a Metro police car attempting to pass her. Ms. Applewhite was treated for neck and back pain, incurring medical costs totaling \$8,051.43.

The Department of Law recommends settling the claim for the amount of the medical costs plus \$8,444.57 for pain and suffering. Metro has already paid \$2,281.29 for damage to Ms. Applewhite's van.

The police officer involved in this accident received disciplinary action consisting of a two day suspension.

Fiscal Note: This \$16,500 settlement, along with the settlement per Resolution No. RS2020-624, would be the 15th and 16th payments from the Self-Insured Liability Fund in FY21 for a cumulative total of \$1,042,369. The fund balance would be \$2,416,025 after these payments.