



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: RS2021-1029, **Version:** 1

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Jean Torchon against the Metropolitan Government of Nashville and Davidson County in the amount of \$80,000.00, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on July 28, 2020, a vehicle owned by the Metropolitan Government and operated by an employee of the Metropolitan Nashville Police Department failed to stop at the intersection of Old Hickory Boulevard and Stone Brook Drive colliding with the rear of the vehicle in which Jean Torchon was a passenger and causing personal injury to Ms. Torchon; 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 Jean Torchon related to the events detailed above, be compromised and settled for \$80,000.00, 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 Jean Torchon for the sum of \$80,000.00 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 July 28, 2020, Jean Torchon was a passenger in a vehicle traveling on Old Hickory Boulevard when the vehicle was rear ended by a distracted Metro police officer at the Stone Brook Drive intersection. Ms. Torchon complained of injuries to her neck and back and an abnormal heartbeat. She was treated at Southern Hills Medical Center and underwent six weeks of physical therapy. Her medical bills total \$43,568.51. The damage to the vehicle Ms. Torchon was riding in has already been paid by Metro in the amount of \$7,267.

The Department of Law recommends settling this claim for the amount of the medical bills plus \$36,431.39, for a total settlement of \$80,000 to be paid out of the self-insured liability fund.

The police officer involved in the accident received disciplinary action consisting of a one day suspension.

Fiscal Note: This \$80,000 settlement, along with the settlements per Resolution No. RS2021-1028 and Resolution No. RS2021-1031, would be the 35th, 36th, and 37th payments from the Self-Insured Liability Fund

in FY21 for a cumulative total of \$1,919,594. The fund balance would be \$944,408 after these payments.