



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: RS2021-1159, **Version:** 1

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Kristi Copeland against the Metropolitan Government of Nashville and Davidson County in the amount of \$193,000.00, and that said amount be paid out of the Self-Insured Liability Fund.

WHEREAS, on October 23, 2018, the Plaintiff, Kristi Copeland, was walking from 24th Avenue to 23rd Avenue toward the Music Row area, when she asserts that she tripped on a raised section of sidewalk and sustained injuries, expenses, and damages proximately caused by the Metropolitan Government's alleged negligence; 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 Kristi Copeland related to the events detailed above be compromised and settled for \$193,000.00, 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 Kristi Copeland for the sum of \$193,000.00 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 28, 2018, Kristi Copeland went for an exercise outing after work with a coworker. While on Blakemore Avenue between 23rd and 24th Avenue, Ms. Copeland tripped over a portion of the sidewalk that was raised several inches due to a tree root growing beneath it. Ms. Copeland's head, hand, and knee struck the pavement. She did not immediately seek medical attention, but the next morning she was treated at the emergency room and was ultimately admitted to the hospital.

Ms. Copeland was diagnosed with a sprained thumb, a moderate contusion to her knee, and a concussion. She had fully recovered from some of these injuries, but continues to suffer from a traumatic brain injury that her doctors have related to the fall.

Ms. Copeland's medical bills to date exceed \$82,000, and she has asserted a large amount of non-economic damages, including decreased wages and a severe limitation on her enjoyment of life. The Department of Law recommends settlement of this case for \$193,000.

Fiscal Note: This \$193,000 settlement, along with the settlement per Resolution No. RS2021-1160 would be the 12th and 13th payments from the Self-Insured Liability Fund in FY22 for a cumulative total of \$677,345.

The fund balance would be \$1,427,281 after these payments.