



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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**File #:** RS2022-1735, **Version:** 1

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A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Darelyn Gullage against the Metropolitan Government of Nashville and Davidson County in the amount of \$22,000.00 and that said amount be paid out of the Self-Insured Liability Fund.

WHEREAS, on April 21, 2019, Darelyn Gullage sustained personal injuries when his vehicle was involved in a collision with a Davidson County Sheriff's Office vehicle near the intersection of Neely's Bend Road and Howse Avenue; 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 Darelyn Gullage related to the events detailed above be compromised and settled for \$22,000.00, 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 Darelyn Gullage for the sum of \$22,000.00, 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 April 12, 2019, Darelyn Gullage was traveling north on Howse Avenue and made a right turn onto Neely's Bend Road. At the same time, a Davidson County Sheriff's Office ("DCSO") officer was backing a DSCO vehicle out of a driveway. The officer struck Mr. Gullage's vehicle in the roadway.

Mr. Gullage went to the hospital complaining of shoulder pain. He was discharged and later followed-up with another doctor. He underwent a course of physical therapy. His medical expenses totaled \$9,747.93.

The Department of Law recommends settlement of this personal injury claim for \$22,000, which includes Mr. Gullage's medical expenses, pain and suffering, and loss of enjoyment of life.

Disciplinary action taken against the DCSO employee consisted of a written reprimand.

*Fiscal Note: This \$22,000 settlement, along with the settlement per Resolution Nos. RS2022-1754, RS2022-1755 and RS2022-1756 would be the 8<sup>th</sup>, 9<sup>th</sup>, 10<sup>th</sup>, and 11<sup>th</sup> payments from the Self-Insured Liability Fund in FY23 for a cumulative total of \$251,875. The fund balance would be \$12,744,483 after these payments.*