



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: RS2025-990, **Version:** 1

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Maya Davila against the Metropolitan Government of Nashville and Davidson County in the amount of \$240,000.00, and that said amount be paid out of the Self-Insured Liability Fund.

WHEREAS On July 9, 2022, the Plaintiff, Maya Davila was involved in a motor vehicle accident with NDOT employee, John Kleppin while traveling southbound on Interstate 65 in Davidson County, Nashville, Tennessee. Ms. Davila alleges that due to the accident, she sustained injuries, expenses and damages proximately caused by the negligence of Metro; 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 interests of the Metropolitan Government, and recommends that any and all claims or causes of action brought or that could have been brought by Maya Davila related to the events detailed above, be compromised and settled for \$240,000.00, 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 Maya Davila for the sum of \$240,000.00 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 9, 2022, a Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”) was driving a knuckleboom truck on Interstate 65 South. The NDOT employee attempted to merge into a lane to his left and struck a vehicle driven by Maya Davila, which veered to the right and rolled over multiple time before coming to a stop against a rock and dirt embankment. The vehicle was declared a total loss, and the Claims Department has compensated Ms. Davila’s insurer for the property damage.

Ms. Davila complained of neck, back, left arm, and hip pain after the crash. She was transported by ambulance to the hospital and treated there. Ms. Davila later received physical treatment and acupuncture. She later underwent hip surgery. Ms. Davila claims \$80,499.41 in medical expenses.

Ms. Davila asserted negligence claims against the Metropolitan Government. The parties participated in settlement negotiations of the Ms. Davila’s negligence claims and have agreed upon the settlement amount of \$240,000, subject to Council approval. The Department of Law recommends settlement of Ms. Davila’s personal injury claim for \$240,000.

The NDOT employee received a written reprimand following this incident.

Fiscal Note: The total settlement amount is \$240,000. This settlement along with RS2025-989 would be the 17th and 18th payment after approval by the Metropolitan Council from the Self-Insured Liability Fund in FY25 for a cumulative total of \$1,025,258. The fund balance would be \$13,023,698 after this payment.