

RESOLUTION NO. RS2018-1127 (VERCHER) – This resolution would authorize the Department of Law to settle the personal injury claim of Candice Horton and Patrick Parnell against the Metropolitan Government in the amount of \$42,000.

On March 7, 2013, Ms. Horton and her son, Mr. Parnell, were traveling north on Rosa Parks Boulevard, intending to proceed straight through the intersection of Rosa Parks and Dominican Drive. The car collided with a MNPD officer attempting to turn left from Rosa Parks onto Dominican Drive. Ms. Horton and her son contend she had a green light, while the officer cannot say definitively whether he had a green arrow or a green light. This distinction would determine whether the officer had the right of way or was required to yield to oncoming traffic.

Ms. Horton sought treatment for lower back pain and was diagnosed with an acute lumbar strain. Mr. Parnell sought treatment for back pain and bilateral shoulder pain and was diagnosed with muscle strain. Ms. Horton has agreed to accept a total of \$30,000, based upon \$18,460 for reimbursement of her medical expenses plus \$11,530 for pain and suffering. Mr. Parnell has agreed to accept \$12,000, in full settlement of this case, based upon \$6,246 for reimbursement of his medical expenses plus \$5,754 for pain and suffering.

The Department of Law recommends settlement of these claims for \$42,000.

Disciplinary action against the employee consisted of a written reprimand.

Fiscal Note: This settlement would reduce the balance of the Self-Insured Liability Fund by \$42,000.