

RESOLUTION NO. RS2018-1228 (VERCHER) – This resolution would authorize the Department of Law to settle the personal injury claim of Kemonte Buford against the Metropolitan Government in the amount of \$20,000.

On February 9, 2014, Mr. Buford was a passenger in a vehicle traveling westbound on Elm Hill Pike. His vehicle entered the intersection of Elm Hill and McGavock Pike facing a flashing yellow light. At the same time, a Metro police officer was initiating a left turn from McGavock Pike onto Elm Hill Pike from a flashing red light. The officer's police cruiser struck Mr. Buford's vehicle in the intersection and that vehicle was totaled.

Mr. Buford sought treatment for cervical strain, right shoulder strain and thoracic back strain. He has agreed to accept a total of \$20,000 in full settlement of this case, based upon \$11,808 for reimbursement of his medical expenses plus \$8,192 for pain and suffering.

Negligence operation of a motor vehicle by a Metro employee acting within the course and scope of their employment can result in the negligence being imputed to Metro. (See Tenn. Code Ann. § 29-20-202.) The Department of Law recommends settlement of this claim for \$20,000.

Disciplinary action against the employee consisted of a one day suspension.

Fiscal Note: This settlement would reduce the balance of the Self-Insured Liability Fund by \$20,000.