

RESOLUTION NO. RS2018-1324 (VERCHER) – This resolution would authorize the Department of Law to settle the personal injury claim of John Baites against the Metropolitan Government in the amount of \$20,000.

On April 27, 2018, a Metropolitan police officer in an unmarked police vehicle was responding to a call with lights and siren activated on Cahal Avenue. Mr. Baites was slowing his vehicle to turn onto Neldia Court from Cahal Avenue when he heard the siren and saw the lights of the police vehicle approaching from the rear. The officer failed to yield to Mr. Baites's vehicle, striking it in the rear. Mr. Baites's vehicle then collided with a utility pole.

Mr. Baites sought treatment for back and head pain. He was diagnosed with muscle strain to the lumbar spine. He has agreed to accept a total of \$20,000 in full settlement of this case, based upon \$13,755.58 for reimbursement of his medical expenses plus \$6,224.42 for pain and suffering.

The Department of Law recommends settlement of this claim for \$20,000. Mr. Baites' property damage claim, including vehicle rental, was previously settled with Farm Bureau Insurance for \$11,294.65.

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

Fiscal Note: This \$20,000 settlement, along with the settlements per Resolution Nos. RS2018-1325, -1326, and -1327, would be the fourth through seventh payments from the Self-Insured Liability Fund in FY19 for a cumulative total of \$312,500. The fund balance would be \$4,532,674 after these payments.