

COMMITTEE OF THE WHOLE

09-0464R

RESOLUTION AUTHORIZING SETTLEMENT OF LAWSUIT BETWEEN  
FINLEY STALVIG AND THE CITY OF DULUTH IN THE AMOUNT OF  
\$45,000.

CITY PROPOSAL:

RESOLVED, that the proper city officials are authorized, upon required approval of the district court, to pay to Finley Stalvig and his attorney, Mary Katherine Cohen, \$45,000 in full and final settlement of a claim which arose out of a fall down the library stairs between Superior Street and Michigan Street on March 28, 2002, and giving rise to the civil action *Finley Stalvig v. City of Duluth*, St. Louis County District Court File Number 69DU-CV-08-2514, payment to be made from Self Insurance Fund 610, Agency 036, Organization 1651, Object 5841.

Approved:

Approved for presentation to council:

\_\_\_\_\_  
Department Director

\_\_\_\_\_  
Chief Administrative Officer

Approved as to form:

Approved:

\_\_\_\_\_  
Attorney

\_\_\_\_\_  
Auditor

ADM/ATTY    LDW:blj    7/9/2009

STATEMENT OF PURPOSE: This resolution ends the lawsuit between Finley Stalvig and the city of Duluth. On March 28, 2002, Stalvig suffered a permanent injury to his left eye when he fell down the library stairs between Superior Street and Michigan Street. He claimed that the city was negligent in the maintenance and repair of the stairs. Mr. Stalvig received substantial medical treatment and he claims the vision in his left eye is impaired. The stairs have since been repaired. The city engaged in extensive discovery and participated in court ordered mediation. As a result of the mediation, the parties agreed to the settlement amount. The city attorney's office recommends that the council approve the terms of the mediated settlement.