

COMMITTEE OF THE WHOLE

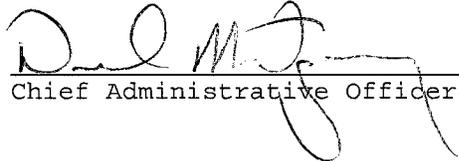
13-0277R

RESOLUTION APPROVING SETTLEMENT IN THE MATTER OF LAUREN
M. NASH V. CITY OF DULUTH IN THE AMOUNT OF \$290,000.

CITY PROPOSAL:

RESOLVED, that the city council approves settlement in the amount of \$290,000 of all claims or causes of actions asserted by Lauren M. Nash in that matter venued in the district court of Minnesota, sixth judicial district and identified as Lauren M. Nash v. City of Duluth, file no. 69DU-CV-12-2281 and further authorizes the proper city officials to take all actions necessary to conclude this matter on a full, final and complete basis; payment to be made from the Self Insurance Fund 0610.

Approved for presentation to council:



Chief Administrative Officer

Approved as to form:



Attorney

Approved:



Auditor

ATTY MAL:cjk 5/17/2013

STATEMENT OF PURPOSE: This resolution authorizes a settlement in a civil suit commenced by Lauren M. Nash. The suit arises out of an automobile accident occurring on July 23, 2011 between a vehicle driven by Lauren M. Nash and a vehicle owned by the city of Duluth and driven by a city employee acting within the course and scope of the employee's duties. The city's liability is based on its ownership of the vehicle and its liability for the negligence of its employee under the doctrine of *respondeat superior*. The parties engaged in extensive discovery, and the city has fully investigated the negligence of the respective drivers and the damage claims of the plaintiff. The city attorney recommends this settlement.