



**Request for City Council Committee Action
From the City Attorney's Office**

Date: January 31, 2014
To: Ways & Means/Budget Committee and Committee of the Whole
Referral to:

Subject: Galbreath v. City of Minneapolis
Court File No.: 27-CV-13-11887

Recommendation: That the City Council approve the settlement of this case by payment of \$32,500.00 payable to George C. Galbreath and his attorney, Jason R. Vohnoutka, from Fund/Org. 06900-1500100-145675 and authorize the City Attorney's Office to execute any documents necessary to effectuate settlement.

Previous Directives: None

Prepared by: Thomas J. Miller Phone: (612) 673-2897

Approved by: 
Susan L. Segal
City Attorney

Presenter in Committee: Susan L. Segal, City Attorney

Financial Impact:(Check those that apply)

- No financial impact (If checked, go directly to Background/Supporting Information).
- Action requires an appropriation increase to the _____ Capital Budget or _____ Operating Budget.
- Action provides increased revenue for appropriation increase.
- Action requires use of contingency or reserves.
- Business Plan: _____ Action is within the plan. _____ Action requires a change to plan.
- Other financial impact (Explain): \$32,500.00 from Fund/Org. 06900-1500100-145675
- Request provided to department's finance contact when provided to the Committee Coordinator.

Community Impact: Other

Background/Supporting Information:

This lawsuit arises out of an incident involving a trip and fall by Plaintiff George C. Galbreath while exiting an MTC Bus on the north side of 7th Street between 3rd and 4th Avenue in the City of Minneapolis on August 16, 2012. On that date, Mr. Galbreath tripped and fell in a gap in the pavement.

As a result of the trip and fall, Mr. Galbreath sustained injuries and incurred in excess of \$26,208.36 in treatment expenses. Mr. Galbreath was also off work and incurred lost wages in excess of 10,889.28. He continues to suffer difficulties as a result of his injuries.

Following negotiations with his attorney, we have reached a tentative settlement of Mr. Galbreath's personal injury claim against the City in the amount of \$32,500.00. This proposed settlement has been discussed with the Public Works Department and they are in agreement with the terms. We believe that the settlement is in the best interests of the City and recommend approval by this Committee.

TJM / 13-14101