



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

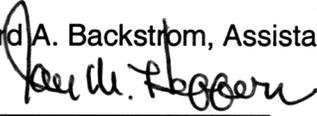
Date: February 8, 2002
To: Council Member Barbara Johnson, Chair
Referral to: Ways and Means/Budget Committee

Subject: Proposed Settlement in Sonja Ament v. City of Minneapolis.

Recommendation: That the City Council authorize settlement of the matter of Ament v. City of Minneapolis, Hennepin County District Court File No.: 01-008952 for the payment of \$20,000.00 to Plaintiff Sonja Ament and her attorney, David Stewart, payable from Fund/Org. 6900-150-1500-6900.

Previous Directives: None.

Prepared by: Edward A. Backstrom, Assistant City Attorney Phone: (612) 673-2072

Approved by: 
Jay M. Heffern
City Attorney

Presenter in Committee:

Financial Impact (Check those that apply)

- No financial impact - or - Action is within current department budget.
(If checked, go directly to Background/Supporting Information)
- Action requires an appropriation increase to the Capital Budget
- Action requires an appropriation increase to the Operating Budget
- Action provides increased revenue for appropriation increase
- Action requires use of contingency or reserves
- Other financial impact (Explain): Payment from fund/org. 6900-150-1500-6900
- Request provided to the Budget Office when provided to the Committee Coordinator

Community Impact:

Not applicable

Background/Supporting Information Attached

On September 2, 1998 the Plaintiff, Sonja Ament, was driving her 1996 Chevrolet Cavalier near Chicago Avenue South and 18th Street East, in Minneapolis. She stopped because the vehicle in front of her had slowed to a stop to turn into a parking lot. Ament was then struck in the rear by a Minneapolis Water Department vehicle driven by Tim Contrera. There was no dispute that the City driver was at fault in the accident.

As a result of the accident, Ms. Ament suffered injuries to her neck and upper back, with radicular pain into her arm and hand. MRI revealed two herniated discs in her upper back and neck area. She started to have severe migraine headaches which her doctor, a neurologist, attributed to the accident. She presently experiences pain in her neck and shoulders as well as periodic migraine headaches.

The doctor who performed an independent medical examination for the City found that Ms. Ament had soft tissue injuries from the accident. The doctor could not rule out that the herniations or the migraine headaches were a result of the accident.

Ms. Ament is claiming \$16,000 in medical special damages and over \$4,000 in lost wages. Her car also suffered \$3,200 in damage. The matter was submitted to non-binding arbitration. The arbitrator awarded Ms. Ament \$39,000 in damages. The City appealed this award.

The case was mediated on February 4, 2002, and a proposed settlement was reached in which the City will pay Ms. Sonja Ament and her attorney, David Stewart, the lump sum of \$20,000, subject to Council approval. The radicular symptoms, the herniated disc, and the continued migraine headaches make this a favorable settlement for the City.