



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

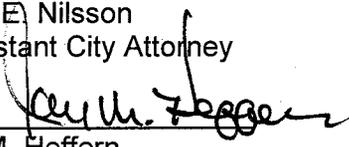
Date: August 1, 2007  
To: Ways & Means/Budget Committee  
Referral to: None  
  
**Subject:** Anne Paulson v. City of Minneapolis  
Auto/Personal Injury Claim

**Recommendation:** That the City Council approve settlement of the above-entitled claim by payment of \$9,000.00 to Anne Paulson and McCoy, Peterson & Jorstad, Ltd. from Fund/Org 690 150 1500 4000 and authorize the City Attorney's Office to execute any documents necessary to effectuate the settlement.

**Previous Directives:** None

Prepared by: Erik E. Nilsson  
Assistant City Attorney

Phone: 673-2192

Approved by:   
Jay M. Heffern  
City Attorney

Presenter in Committee: Jay M. Heffern, City Attorney

**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 of \$9,000.00 from Fund /Org. 690 150 1500 4000
- Request provided to the Budget Office when provided to the Committee Coordinator

**Community Impact:**

City Goals: Build Community

**Background/Supporting Information**

On October 24, 2003, at approximately 1 p.m., claimant Anne Paulson was in her car and stopped behind another car at the intersection of Lake Street East and 11<sup>th</sup> Avenue South when she was rear-ended by a Minneapolis Police squad car driven by Officer Jeffrey Perkins. The force of the collision pushed Ms.

Paulson's vehicle into the car in front of her. Ms. Paulson's vehicle sustained \$4,322.94 in damage due to a bent frame, the grill of the squad car was damaged, and the air bag in the squad deployed.

Ms. Paulson received treatment at HealthEast Urgent Care later that same day for complaints of neck stiffness and back pain. X-rays were taken and she was diagnosed with cervical and lumbosacral spine sprains. On October 28<sup>th</sup>, Ms. Paulson treated with her family doctor, Dr. Casey at East Metro Family Practice, who prescribed physical therapy for continuing back pain. Based on numbness in her right hand and continuing headaches, Dr. Casey ordered an MRI on December 15<sup>th</sup>, which showed a small dorsal annular tear and disc bulge at C6-7 without herniation. There was also a tiny dorsal annular contour deformity at C5-6. On May 24, 2004, Ms. Paulson initiated chiropractic care at Health Within Chiropractic and Acupuncture and treated consistently with Dr. Marya O'Malley for several months. Based on continuing complaints, Ms. Paulson returned to Dr. Casey who ordered a repeat MRI. The second MRI showed no change.

Ms. Paulson continued chiropractic treatment with Dr. David Cole at Johnson Chiropractic Clinic and was treated with a variety of modalities. Dr. Cole opines that the injuries are permanent and directly attributable to the car accident. He estimates that she will need 9-15 chiropractic treatments per year at a cost of \$50 to \$90 per treatment. Ms. Paulson provides medical records evidencing expenses to date of \$11,092.99.

The liability of the City is clear in this case. Ms. Paulson suffered documented soft tissue injuries and had no preexisting conditions. Contingent upon your approval, Ms. Paulson would agree to a full and complete settlement of her claim against the City of Minneapolis for the sum of \$9,000.00. The settlement amount has been reviewed and approved by the City Attorney's Office's Litigation Committee. I believe this is an appropriate resolution of this matter and is in the best interest of the City.

04L-0132