



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

Date: August 18, 2005
To: Ways & Means/Budget Committee
Referral to:

Subject: Tramesha Lindsey v. the City of Minneapolis

Recommendation: That the City Council approve settlement of this matter for the sum of \$7,500.00 payable to Tramesha Lindsey and her attorney, James Daniels, from Fund/Org 6900 150 1500 4000 and authorize the City Attorney's Office to execute any documents necessary to effectuate settlement.

Previous Directives:

Prepared by: Michael J. Rugani, Assistant City Attorney Phone: 673-2897

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): Payable from Fund/Org 6900 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 the evening of September 1, 2004, Tramesha Lindsey was headed westbound on 26th Avenue North when Officer Creighton, driving an MPD squad and responding to a pursuit of a stolen vehicle, pulled out in front of her. Creighton was pulling out of a parking lot and Tramesha Lindsey's vehicle struck Creighton's vehicle. Creighton was off-duty at the time, and had not yet activated the lights and siren of the squad he was driving. Creighton immediately checked on the occupants of Tramesha Lindsey's vehicle, all of whom reported they were fine and refused medical treatment. Creighton then reported the accident and requested the Traffic Unit to come to the scene to investigate.

Tramesha Lindsey v. the City of Minneapolis

August 18, 2005

Page 2

Sergeant Peter responded to the scene and noted no injuries reported by anyone. The squad had to be towed from the scene.

Later that day, Tramesha Lindsey transported herself to Regions Hospital complaining of neck pain. On September 9, 2004, Tramesha Lindsey began treating with a chiropractor, Dr. Gibson. She complained of back and neck pain. Dr. Gibson has seen her frequently and her symptoms have yet to resolve as of this date. To this date she has outstanding bills from Regions Hospital and Dr. Gibson totaling approximately \$7,300.00.

From the facts of the case, it is quite likely that a jury would find Creighton at fault. Therefore, I began to explore early settlement options with Ms. Lindsey's attorney. This matter can be settled for \$7,500.00 which is essentially payment of her outstanding medical bills. In balancing the risks and costs of litigation, this office believes this is an appropriate settlement and recommends it to the City Council.

04L-0567