



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

Date: July 3, 2007
To: Ways & Means/Budget Committee
Referral to:

Subject: Wence Ledell Edwards v. City of Minneapolis
Court File No.:

Recommendation: That the City Council approve the settlement and close-out of this No-Fault claim by payment of \$4,500.00 payable to Wence Ledell Edwards and his attorney, John M. Gearin, from Fund/Org. 6900 150 1500 4000 and authorize the City Attorney's Office to execute any documents necessary to effectuate settlement.

Previous Directives: The payment of Mr. Edward's No-Fault bills was authorized by the City Council on May 11, 2007. \$1,959.47 in medical costs have been paid as of June 25, 2007 pursuant to this authorization.

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

Approved by: Jay M. Heffern
Jay M. Heffern
City Attorney

Presenter in Committee: Jay M. Heffern, 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): Payment from Fund/Org. 6900 150 1500 4000
 Request provided to department's finance contact when provided to the Committee Coordinator.

Community Impact: Other

Background/Supporting Information:

This matter and subsequent No-Fault claim by Wence Edwards arise out of a motor vehicle accident that occurred on August 25, 2006. At that time and place, Wence Edwards was riding in the rear seat of an unmarked police vehicle when it was rear-ended by another vehicle at a red stop light. Mr. Edwards is uninsured by any other policy and is therefore eligible for No-Fault benefits through the City of Minneapolis. Mr. Edwards is represented by counsel and sustained injuries to his head, neck, back and shoulder. He has sought care for his injuries and has incurred bills. Treatment has been rendered in Mankato at Immanuel St. Joseph's Clinic and Schugel Family Chiropractic. His current treatment is for neck and low back strains.

Pursuant to ordinance, the city attorney appeared before the standing committee on ways and means/budget and requested initial authorization to submit all current and ongoing bills relating to this no-fault claimant directly to the city finance officer for payment. Authorization was granted by the city council on May 11, 2007 and treatment bills totaling \$1,959.47 have been paid. Initial total exposure for the City of Minneapolis was \$20,000.00 for medical treatment and \$20,000.00 for wage loss. Remaining exposure is \$38,040.53.

Following extensive negotiations with claimant's counsel we have reached a tentative settlement of Mr. Edward's No-Fault claim against the City in the amount of \$4,500.00. We believe that the settlement is in the best interests of the City and recommend approval by this Committee.

TJM / 07-04271