



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: SC-1314-12**

**File ID:** SC-1314-12      **Type:** Special Claim      **Status:** ATS Review

**Version:** 1      **Reference:** Item No. 19      **In Control:** City Council

**Department:** Legal Department      **Cost:** \$18,500.00      **File Created:** 05/07/2014

**File Name:** Claim of Michael Hughes      **Final Action:**

**Title:** SPECIAL CLAIM NO. SC-1314-12: A CLAIM IN THE REDUCED AMOUNT OF \$18,500 SUBMITTED BY MICHAEL HUGHES FOR MEDICAL EXPENSES INCURRED AS A PASSENGER IN AN ACCIDENT WITH A POLICE VEHICLE NEAR THE INTERSECTION OF CLASSEN BOULEVARD AND LINDSEY STREET.

**Notes:** ACTION NEEDED: Motion to approve or reject Special Claim No. SC-1314-12; and, if approved, direct payment in the reduced amount of \$18,500 contingent upon obtaining a Release and Covenant Not to Sue from Michael Hughes.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 05/13/2014

**Agenda Number:** 19

**Attachments:**

**Project Manager:** Jeanne Snider, Assistant City Attorney

**Entered by:** jayme.rowe@normanok.gov

**Effective Date:**

### History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

### Text of Legislative File SC-1314-12

Body

**BACKGROUND:** A claim has been filed by Michael Hughes for medical expenses, lost wages and pain and suffering in the amount of \$22,000 due to a vehicle accident he was involved in on October 5, 2013, when the vehicle he was driving was struck by a City of Norman police vehicle near the intersection of Classen Boulevard and Lindsey Street. The vehicle Mr. Hughes was driving was owned by Janet Sympson. Ms. Sympson's claim for property damage and rental car expenses in the amount of \$9,891.87 was approved by City Council on November 26, 2013. Mr. Hughes has offered to settle his personal injury claim in the amount of \$18,500. This settlement offer is being presented to City Council for consideration at this time.

**DISCUSSION:** This incident was investigated by Lt. Jamie Shattuck and Chief Keith Humphrey. According to the investigation and the official accident report, both vehicles were traveling southbound on Classen Boulevard. The vehicles were approximately parallel with each other when Officer Paul Evans, driving the police vehicle, attempted to make a u-turn in order to make a traffic stop for a car that was northbound on Classen Boulevard. The left front of the City vehicle struck the right front of the vehicle driven by Mr. Hughes. Mr. Hughes alleges the accident caused aggravation of a pre-existing back and hip injury for which he had previous back surgery on October 3, 2012, and previous right hip replacement on November 20, 2012. The settlement offer is to settle Mr. Hughes' claim in full, including lost wages, pain and suffering and medical

expenses, current and future.

As indicated above, the City accepted responsibility for the accident and paid for the property damage to Ms. Sympson's vehicle. The merits of this settlement offer from Mr. Hughes were presented to Council members individually by a separate confidential memorandum under attorney/client privilege.

**RECOMMENDATION:** Based upon the information presented to Council regarding this case, it is recommended by the City Attorney's Office that the settlement of Michael Hughes' claim in the negotiated amount of \$18,500 be approved by Council. If approved, due to the size of the settlement amount, the settlement will be reduced to judgment and placed on the property tax rolls and paid over the next three years in accordance with 62 O.S. § 361 et seq and 51 O.S. § 159.