



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: SC-1415-9

File ID: SC-1415-9

Type: Special Claim

Status: Agenda Ready

Version: 1

Reference: Item 16

In Control: City Council

Department: Legal Department

Cost: \$85,432.00

File Created: 12/30/2014

File Name: Special Claim for Sherri and Leotis Young

Final Action:

Title: SPECIAL CLAIM SC-1415-9: A NEGOTIATED SETTLEMENT OF A CLAIM IN THE REDUCED AMOUNT OF \$85,633 SUBMITTED BY SHERRI AND LEOTIS YOUNG FOR DAMAGES TO THEIR VEHICLE, PERSONAL INJURIES, LOST WAGES, AND PAIN AND SUFFERING DUE TO AN ACCIDENT WITH A SANITATION VEHICLE ON BERRY ROAD NEAR THE INTERSECTION OF NEBRASKA STREET.

Notes: ACTION NEEDED: Motion to approve or reject Special Claim No. SC-1415-9; and, if approved, direct payment in the reduced amount of \$85,633 contingent upon obtaining a Release and Covenant Not to Sue from Sherri and Leotis Young.

ACTION TAKEN: _____

Agenda Date: 01/13/2015

Agenda Number: 16

Attachments: Clerk Memo Young Claim.pdf, Claim from Young.pdf, Police Report.pdf

Project Manager: Jeanne Snider, Assistant City Attorney

Entered by: ellen.usry@normanok.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File SC-1415-9

Body

BACKGROUND: A claim has been filed by Sherri Young, through her attorney Aaron Stiles, for damages to her vehicle in the amount of \$13,408.13, medical expenses in the amount of \$66,574.95, wage compensation in the amount of \$11,390.30 and pain and suffering in the amount of \$133,149.90 for a total claim amount of \$224,523.28 for an accident which occurred on March 12, 2013. An offer to settle the claim for \$85,633 has been made. The merits of this settlement offer were presented in Executive Session to City Council members on December 23, 2014. Based on feedback from City Council at the Executive Session, the settlement offer is being presented to City Council for formal consideration.

DISCUSSION: The claimant alleges she was driving her vehicle northbound on Berry road, approaching Nebraska Street when an city vehicle driven southbound by Jonathan Robert Dora crossed the center line and into the northbound lane of Berry road. The city vehicle struck claimant's vehicle and continued off of the road. A witness claims the driver was slumped over the wheel at the time of the collision. As a result of the incident,

claimant suffered personal injuries and vehicle damage. The claimant suffered injury to her neck and shoulder and as a result of the accident had right shoulder surgery on June 15, 2013. She was released from her doctor on November 22, 2013.

The settlement offer is to settle the claim in full, including lost wages, pain and suffering, both current and future medical expenses, and property damage. As indicated above, the merits of this settlement offer were presented in Executive Session to City Council members on December 23, 2014.

RECOMMENDATION: Based upon the information presented to Council regarding this case, it is recommended by the City Attorney's Office that the settlement of Sherri Young's claim in the negotiated amount of \$85,633 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.