



Legislation Details (With Text)

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Title: CONSIDER APPROVAL OF SETTLEMENT AGREEMENT IN THE MATTER OF TINA THOMPSON V. CITY OF CARSON, LOS ANGELE COUNTY SUPERIOR COURT CASE NO. 20STCV21039
Sponsors:
Indexes:
Code sections:
Attachments: 1. Settlement Agreement Between TINA THOMPSON and CITY OF CARSON - partially signed

Date	Ver.	Action By	Action	Result
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Report to Mayor and City Council

Tuesday, November 16, 2021

Consent

SUBJECT:

CONSIDER APPROVAL OF SETTLEMENT AGREEMENT IN THE MATTER OF TINA THOMPSON V. CITY OF CARSON, LOS ANGELE COUNTY SUPERIOR COURT CASE NO. 20STCV21039

I. SUMMARY

This report concerns settlement of the matter entitled Tina Thompson v. City of Carson (LACSC Case Number 20STCV21039). The incident giving rise to the litigation occurred on January 25, 2019 at approximately 5:45 p.m. Plaintiff alleged she was walking her dog on the 501st block of East 213th Street near Grace Avenue when she tripped and fell due to raised bricks surrounding a nearby tree.

Staff is now reporting back to the City Council with the written settlement agreement for final City Council approval to resolve the litigation (Exhibit 1). The settlement sum is \$70,000 and the settlement agreement provides for each party to bear its own costs of litigation. City's defense costs are approximately \$43,000. The settlement is consistent with what the City Council authorized in a closed session on November 3, 2021.

II. RECOMMENDATION

1. Approve the settlement agreement (Exhibit 1); and
2. Authorize the City Manager to execute the settlement agreement, and any related documents, to resolve the litigation.

III. ALTERNATIVES

TAKE another action the City Council deems appropriate.

IV. BACKGROUND

This lawsuit arises from an alleged trip and fall incident that occurred on January 25, 2019 at approximately 5:45 p.m. Plaintiff Tina Thompson, a 61-year-old woman, alleges she was near the 501st block of East 213th Street near Grace Avenue in Carson. As Plaintiff was walking with her dog near a large tree, which uprooted the bricks adjacent to the sidewalk, she tripped and fell. Plaintiff presented to the emergency room with abrasions to both knees, as well as a small laceration on her inner lower lip. She complained of right shoulder and wrist pain with limited range of motion and bilateral knees and feet pain. She underwent undergone a right knee surgery and at least one injection to her right wrist. She continues to complain of residual pain and symptoms to both knees, wrists, and spine. She has been recommended surgery to her right wrist and bilateral knee replacements. Her medical liens total approximately \$85,000.

Staff is now reporting back with a written settlement agreement, for the City Council's final approval, and is requesting authorization for the City Manager to execute the agreement and any related documents to resolve the litigation.

The settlement sum is \$70,000 and the settlement agreement provides for each party to bear its own costs of litigation. The settlement is consistent with what the City Council authorized in a closed session on November 3, 2021.

V. FISCAL IMPACT

The fiscal impact to the City is approximately \$113,000, which includes: (i) the settlement sum of \$70,000 to be paid by the City pursuant to the settlement agreement; and (ii) the City's defense costs incurred, approximately \$43,000.

VI. EXHIBITS

1. Settlement Agreement Between TINA THOMPSON ("Plaintiff") and Defendant CITY OF CARSON ("Defendant") - pages 3 - 8

Prepared by: Faye Moseley, Director of Human Resources and Risk Management