



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 16-0205, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF MARCH 3, 2016

COMMITTEE ON JUDICIARY

Mr. David St. Pierre, Executive Director

Authority to settle State Farm Mutual Automobile Insurance Company a/s/o Dorothy Barton v. Metropolitan Water Reclamation District of Greater Chicago, Case No. 15 M1 012528, and Angelia Keene and Andre Keene v. Metropolitan Water Reclamation District of Greater Chicago, Case No. 15 M1 302123, and the State of Illinois Lien in the total sum of \$23,901.90, Account 901-30000-667220

Dear Sir:

On September 5, 2014, District employee Audrey Richardson, a Pollution Control Technician I, was involved in a multi-car accident, while she was driving a District vehicle during the performance of her District job duties.

The second rear-ended vehicle was being driven by Angelia Keene and contained a passenger, Andre Keene ("Plaintiffs"). State Farm Insurance insured this second vehicle and filed a lawsuit in the Circuit Court of Cook County, Municipal Division on May 12, 2015, seeking reimbursement for the amounts it paid on behalf of its insured, which totaled \$18,618.48. On September 3, 2015, Plaintiffs filed a separate lawsuit seeking compensation for their personal injuries suffered during the accident. Plaintiffs' attorney has made a settlement demand of \$30,500.00 for both Plaintiffs. The State of Illinois also has a lien in place, in the amount of \$1,033.29, for medical services it paid on behalf of one of the Plaintiffs.

The Law Department has answered written discovery and has been negotiating with the State Farm attorneys and the Plaintiffs' attorneys in an attempt to settle each of the lawsuits and has worked with the State of Illinois to resolve its lien. State Farm has agreed to a settlement amount of \$14,618.61, and Plaintiffs' attorney has agreed to a settlement of \$8,250.00, which would be for both Plaintiffs. The District would also pay the State of Illinois its entire lien amount of \$1,033.29. Therefore, the entire amount to settle all matters would be \$23,901.90. In turn, both lawsuits will be dismissed with prejudice, and the State will release its lien.

Given the cost of defense, the potential culpability of the District's employee, and to avoid the uncertainty of litigation, the Law Department recommends settlement pursuant to the above-referenced terms.

The General Counsel respectfully recommends that the Board of Commissioners approve the settlement of the above-referenced lawsuits and State lien on the above-referenced terms and that he be authorized to execute such documents as may be necessary to effectuate the settlement.

Requested, Ronald M. Hill, General Counsel, RMH:LLD:BO'C:nm

Recommended, David St. Pierre, Executive Director

Respectfully Submitted, Mariyana T. Spyropoulos, Chairman, Committee on Judiciary

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for March 3, 2016