

EM SUBMISSION NO.: 2012 EM 472
PRESENTED: 8/6/12
ADOPTED: 8/7/12

BY THE EMERGENCY MANAGER:

RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION MATTER
KATHY SEVERN V CITY OF FLINT, CASE NO. 11-95875-NO

Kathy Severn filed suit against the City of Flint on April 21, 2011, alleging that on October 12, 2010, she fell on a sidewalk located on the south side of Delaware near the corner of Torrence, adjacent to 2618 Torrence. Ms. Severn alleged a radial fracture to her left arm, a knee injury, and exacerbation of pre-existing condition; and


The parties have settled this matter prior to trial for the sole consideration of Twelve Thousand Dollars (\$12,000.00), such payment to be made on or before August 31, 2012; and

Pursuant to the Law Department's recommendation, Emergency Manager Brown has authorized settlement of this matter; and

Settlement payment shall be made with appropriated funds from line item 677-266.200-956.300, Suits and Settlements, in the amount of Twelve Thousand Dollars (\$12,000.00).


IT IS RESOLVED that City officials are authorized to make payment to Kathy Severn and her attorney, Todd J. Stearn, in the amount of Twelve Thousand Dollars (\$12,000.00), in satisfaction of any and all claims arising out of said incident, with appropriated funds from line item 677-266.200-956.300, Suits and Settlements, which as of August 6, 2012, has a balance of \$441,732.50.

APPROVED AS TO FORM:



Peter M. Bade, City Attorney

APPROVED AS TO FINANCE:



Gerald Ambrose, Financial Advisor

EM DISPOSITION:

ENACT ✓ FAIL _____

DATED 8-7-12



Michael K. Brown, Emergency Manager