



Legislation Text

File #: 07-0320, **Version:** 1

Recommendation to authorize City Attorney to pay the sum of \$20,000 in full settlement of lawsuit entitled: Amanda Haney, a minor and Nicamarie Santiago, a minor, both through their Guardians ad Litem v. City of Long Beach; and \$112,500 in full settlement of lawsuit entitled Arias vs. City of Long Beach.

Plaintiffs, two teenage girls, were hit by a car while walking back from El Dorado Park at the intersection of Barrios and Studebaker. At the time, the crosswalk had reflective signs and overhead lighting, but no traffic signal.

Following settlement discussions with Plaintiffs' counsel, Plaintiffs have agreed to settle this matter for \$ 10,000 per Plaintiff, for a total of \$ 20,000 as to the City of Long Beach. The Settlement is contingent upon the court approving the minor's compromise, and we anticipate that the court will do so on April 5, 2007.

The proposed settlement was presented to the Economic Development and Finance Committee on March 13, 2007, and was approved on that date. We therefore ask authority to pay the sum of \$20,000.00 in full settlement of this lawsuit.

This case involves an automobile v. City refuse truck accident which occurred on February 8, 2005 on Studebaker Road and Atherton. The Plaintiffs are the driver and passenger of the automobile.

The accident occurred when the City Refuse driver began to make a U-turn midblock from the #2 northbound lane and collided with the Plaintiff's small pick-up truck as it was traveling in the #1 lane. Both Plaintiffs sustained injuries and incurred medical expenses in the amount of approximately \$70,000.

After negotiations, the parties tentatively agreed to a full and complete settlement, inclusive of all costs and fees in the amount of \$112,500.00.

The proposed settlement was presented to the Economic Development and Finance Committee on March 13, 2007 and was approved on that date. We therefore ask authority to pay the sum of \$112,500.00 in full settlement of this claim against the City of Long Beach.

Approve recommendation.

ROBERT E. SHANNON, CITY ATTORNEY