

**Summary of April 10, 2012 vehicle accident and claim for medical benefits paid by Progressive Direct Insurance Company on behalf of its insured, Tasha Rose Mirick.**

On April 10, 2012, a Saint Paul Regional Water Services turn-on truck was involved in a motor vehicle accident on Emerald at Ellis in Saint Paul. A SPRWS vehicle was traveling southbound on Emerald and proceeded to turn left onto eastbound Ellis. In making the turn, the SPRWS vehicle had to cross the north bound lane of Emerald. The insured's vehicle was proceeding northbound on Emerald. SPRWS driver failed to yield and the two vehicles collided in the northbound lane. The insured was transported to the hospital and the SPRWS driver was cited for failure to yield the right of way.

The vehicle operated by the insured was a 1999 Mercury Minivan, which was damaged on the driver's side front bumper and front end. On November 7, 2013, the Office of Risk Management settled a property damage claim associated with the vehicle damage in the amount of \$1,798.32.

The insured brought a personal injury claim against the Board arising from the incident. On April 14, 2015, the Board approved a final settlement of that claim in the amount of \$8,500.00, as recommend by Risk Management..

The insured's insurance company, Progressive Direct Insurance Company, has now brought a claim against the Board for medical bills it paid on behalf of the insured. Progressive did not engage the City's Risk Management in settlement discussions. Instead, it filed for arbitration and obtained a no-fault arbitration award of \$8,883.55 from the court on June 19, 2015. Saint Paul Risk Management and the City Attorney recommend that the full amount of the award be paid to Progressive as final settlement of this claim and all further claims related to this incident.

Summary of claim settlements arising from this vehicle accident:

Vehicle Property Damage	\$ 1,798.32	Settled by Risk Management on November 7, 2013
Personal Injury	\$ 8,500.00	Approved by the Board on April 14, 2015
<u>Medical Benefits Paid</u>	<u>\$ 8,883.55</u>	Proposed settlement
Total	\$19,181.87	

SPRWS Accident Review Board determined that this accident was preventable and serious. The SPRWS employee driving the pick-up truck received disciplinary action in the form of a written reprimand for the employee's first preventable serious accident.