

**M** Management Committee  
For the Metropolitan Council meeting of October 14, 2009

**ADVISORY INFORMATION**

**Date Prepared:** Phil Walljasper and Dave Larrabee

**Subject:** Stipulation of damages amount related to a liability claim.

**Proposed Action:**

That the Metropolitan Council authorize its attorneys to stipulate to the amount of damages related to a Metro Transit bus accident up to the amount presented to the Management Committee.

**Summary of Committee Discussion / Questions:**

This case was presented to the Management Committee by our defense council and Risk Management representative. The issues discussed include liability and injuries sustained by the bicycle rider.

The Management Committee consented to the stipulation for damages.

# Management Committee

**Business Item**

Item: 2009-335

**Meeting date: September 23, 2009**

## **ADVISORY INFORMATION**

<b>Date:</b>	September 15, 2009
<b>Subject:</b>	Stipulation of damages amount related to a liability claim
<b>District(s), Member(s):</b>	All
<b>Policy/Legal Reference:</b>	
<b>Staff Prepared/Presented:</b>	Phil Walljasper, 651-602-1787 Dave Larrabee, 651-602-1773
<b>Division/Department:</b>	Risk Management

### **Proposed Action**

That the Metropolitan Council authorize its attorneys to stipulate to the amount of damages related to a Metro Transit bus accident up to the amount presented to the Management Committee.

### **Background**

On 10/23/08, a Metro Transit bus was involved in a pedestrian accident, which resulted in a subsequent claim against the Metropolitan Council. A lawsuit against the Council has been served and filed and we continue with the legal proceedings. The Council would like to stipulate to the damages of the claim

### **Rationale**

The proposed stipulation to the amount of damages exceeds the authority of the Litigation Review Committee.

### **Funding**

Bus liability claims are funded with Metro Transit's operating funds

### **Known Support / Opposition**

None