



**Request for City Council Committee Action  
From the City Attorney's Office**

Date: April 29, 2008  
To: Ways & Means/Budget Committee  
Referral to:

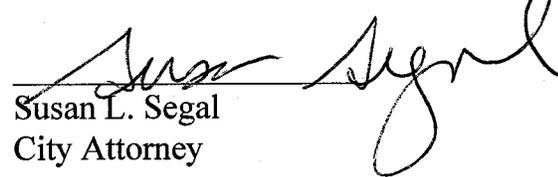
**Subject:** Judy Mae Rye(Deceased) v. City of Minneapolis  
Court File No.:

**Recommendation:** That the City Council approve the settlement of this case by payment of \$292,500.00 payable to Jody Lynn Shuberg, the Trustee for the Next of Kin of Judy Mae Rye and her attorneys, Schwebel, Goetz & Sieben, from Fund/Org. 06900-1500100-145675 and authorize the City Attorney's Office to execute any documents necessary to effectuate settlement.

**Previous Directives:** This claim was previously before the City Council on April 4, 2008 regarding a request for No-Fault medical and funeral expenses. On that date the City Attorney's Office was authorized to make payment of those expenses. Those expenses were compromised and paid in the amount of \$21,382.00.

Prepared by: Thomas J. Miller Phone: (612) 673-2897

Approved by:

  
Susan L. Segal  
City Attorney

Presenter in Committee: Susan L. Segal, City Attorney

**Financial Impact:**(Check those that apply)

- No financial impact (If checked, go directly to Background/Supporting Information).  
 Action requires an appropriation increase to the \_\_\_\_\_ Capital Budget or \_\_\_\_\_  
Operating Budget.  
 Action provides increased revenue for appropriation increase.

Action requires use of contingency or reserves.

Business Plan:  Action is within the plan.  Action requires a change to plan.

Other financial impact: \$292,500.00 from Fund/Org. 06900-1500100-145675

Request provided to department's finance contact when provided to the Committee Coordinator.

**Community Impact:** Other

**Background/Supporting Information:**

This matter and subsequent claim by Jody Lynne Shuberg, duly appointed Trustee for the Next of Kin of pedestrian Judy Mae Rye(deceased), arise out of a motor vehicle accident that occurred on October 23, 2007. At that time and place, Kristopher Lambert was driving a City of Minneapolis truck when it struck and ran over pedestrian Judy Mae Rye. Minneapolis Officer Steven Loeding responded to the scene of the collision and in his accident report noted "failure to yield right of way" on the part of the City employee as the sole cause of the accident. The City driver is currently being prosecuted by the Minneapolis City Attorney's Office - Criminal Division for failure to yield the right of way to a pedestrian, a misdemeanor.

As a result of the accident, Judy Mae Rye sustained multiple traumatic injuries to her body resulting in death. She was treated for her injuries prior to her death and incurred bills of \$33,882.00 as of the date of her death and funeral. All of these bills have been settled with the providers with No-Fault payments by the City totaling \$21,382.00.

Following extensive negotiations we have reached a tentative settlement with Jody Lynne Shuberg, Trustee for the Next of Kin of pedestrian Judy Mae Rye(deceased) for this wrongful death claim against the City in the amount of \$292,500.00. This would be the final payment on this claim since all No-Fault bills have already been addressed. We believe that the settlement is in the best interests of the City and recommend approval by this Committee.

TJM / 07-28523