

October 26, 2010

TO: Wyatt Scott, Fort Bend County Risk Manager
FROM: Helana Barmore
RE: SETTLEMENT APPROVAL

Claim No. : 1000-160-A00520
Date of Loss : 3/15/2010
Coverage : Auto Liability – Bodily Injury

Dear Mr. Scott:

Please confirm Settlement Approval in the amount of \$15,000 to settle the above bodily injury claim on behalf of the County.

On 3/15/2010, an FBC Sheriff Deputy, driving a 2008 Crown Victoria, rear ended the claimant at an intersection when the signal light short-cycled from red to green and back to red. The claimant's vehicle, 2005 Ford Taurus SE was repairable; property damage was settled in the amount of \$2243.23.

The claimant is a 44 year old female, residing in Missouri City, complaining of an acute neck and back strain with pain radiating into her legs. She was treated and released from the emergency room and continued to treat with a chiropractor. She had recently started a position with the Department of Aging and Disability, but was taken off work and subsequently lost her job.

The claimant is represented by attorney Roger Sullivan with Smith & Hassler. Initial demand was \$36,000, based on \$13,890.50 in medical specials and \$6844.00 in lost wages. A Peer Review to evaluate the severity of the injury and extent of treatment determined that the claimant over-treated for a soft tissue injury which should have resolved in 4-6 weeks. However, the bulk of the treatment was reasonable as the claimant was considered obese and a smoker and, therefore, had a predisposition for slower recovery.

The claimant attorney has agreed to settle this claim in a full/final settlement in the amount of \$15,000 contingent on approval by Commissioner's Court. Please pursue this request so that we may conclude this settlement as soon as possible. Thank you.